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Journal of the House

NINETY-FOURTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 3, 2007

The House was called to order at twelve o'clock noon by the Honorable Robin Carnahan, Secretary of State.

Prayer by Brother William Jetton.

Our Father,

Creator of all and Sustainer of all, we thank You for this day and the blessing of this day.

I pray for wisdom and understanding for Governor Blunt, my son Rod and the men and women of the House of Representatives.

I pray You will lead in their leadership within each of the legislative districts of the state.

Assist them with the decisions that must be made as together they develop the future of the state of Missouri.

Please keep us faithful and obedient to Your will and plan.

We ask Your blessings on this 94th Session of the General Assembly of Missouri.

In Jesus' name we pray, in whom we believe. Amen.

The Missouri Highway Patrol, Troop F Color Guard, presented the Colors.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Randy Kellar, Nickolas Kellar, Benjamin Collins Smith, Henry Kloeckener, George Kloeckener, Eleanore Kloeckener, Christopher Hoel and Rebecca Jennings.

ADDRESS BY SECRETARY OF STATE ROBIN CARNAHAN

Good Afternoon. I'd like to welcome all of you in the Chamber today.

By law, the Secretary of State presides over the opening of this legislative session until a Temporary Speaker is chosen.

By tradition, the presiding officer is expected to say a few words on this important occasion. So I will gladly oblige...understanding that "fewer words" will be most welcome of all.

Today marks the opening of the 94th Regular Session of the Missouri General Assembly. Nearly 200 years ago when the first Missouri Legislature met, legislators from around the state rode in by horseback or sailed along our rivers to gather together to fashion laws that set the course for our new state.

Today, whether you arrived by rail, air or highway, your job is no less significant. You are here to set the course for our state.

You have the high honor and grave responsibility to serve as representatives of your fellow citizens. It is your job...indeed, it is your duty to represent and give voice to their values, their hopes and their fears.

In every bill you introduce, in every vote you cast, you will be presented with a choice. A choice to either carry out this task by exercising authority over your fellow citizens or by exercising leadership on their behalf.

What is the difference?

Exercising authority is easy. The fact that you have been elected to this office means you've been given the authority by the voters to pass laws to govern our society.

You have the power...sort of like what happens in families. Have you ever heard a parent respond when the child asks "Daddy why do I have to wear a jacket?"..."because I'm your father and I say so."

But your challenge is to find a way to do more than that...your challenge is to exercise leadership on behalf of your constituents and our state.

And that is a much harder task...because leadership requires:

1. Having a purpose...leadership is not about power...it is about purpose;
2. It requires listening and understanding;
3. It requires balancing your own values and beliefs with those of others, and
4. Perhaps most challenging of all...leadership requires both a passionate commitment to your cause and the humility to recognize that you might just be wrong and that someone else may have a better solution.

Great public servants understand the importance of exercising leadership rather than just exercising authority.

Abraham Lincoln certainly understood it. In his Gettysburg Address Lincoln spoke about "the great task remaining before us." He understood that his task was not to merely force his will on political rivals...but instead it was to build a coalition among his rivals that could succeed in giving our nation a "new birth of freedom" that would save the Union.

But exercising leadership isn't just for Presidents...you also have that opportunity right here in this chamber. And it's been done many times before.

For example...

- It happened when political rivals joined together to improve the health of Missouri children by increasing access to childhood immunizations in local health clinics;
- It happened when the Parents as Teachers program was created to help our kids succeed and it became a model for the rest of the nation.

And leadership can happen right here everyday. But it is no easy task.

But lest you think you've taken on an overwhelmingly difficult job, let me submit that there are others in our state doing even tougher jobs everyday. Those who are:

- Struggling to meet a payroll;
- Treating the sick or caring for a disabled child or an elderly parent;
- Fighting chronic, debilitating diseases;
- Struggling in low-paying jobs;
- Teaching in overcrowded classrooms;
- Keeping our neighborhoods and highways safe;
- Serving our country in the military.

Today you gather to represent those Missourians and so many others. And they are all counting on you to put partisanship, self-interest and political maneuvering aside and to think about them.

They are counting on you not to merely exercise authority over them, but to provide leadership for them.

To make government work for them and for their families in practical, prudent and responsible ways that improve people's lives.

And the great task remaining before us could not be more clear...it is still about setting the course for our state. It is about creating the Missouri where our families can:

- Live and grow in safety;
- Be educated in world class schools;
- Find good paying jobs;
- Have access to good healthcare; and
- Grow old with dignity and peace.

And there is no time to waste...

Martin Luther King, Jr. wrote in his letter from the Birmingham jail that:

"...human progress never rolls in on wheels of inevitability. It comes through the tireless efforts and persistent work of men willing to be co-workers with God, and without this hard work time itself becomes an ally of the forces of social stagnation. We must use time creatively, and forever realize that the time is always ripe to do right."

May God bless you as you begin your work.

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the 94th General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri 2002, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 94th General Assembly (First Regular Session) of the State of Missouri, elected at the General Election held on November 7, 2006.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 3rd day of January, 2007.

/s/ ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI HOUSE OF REPRESENTATIVES
94th General Assembly, First Regular Session

District	Name
1st	Brian Munzlinger
2nd	Rebecca McClanahan
3rd	Jim Whorton
4th	Mike Thomson
5th	Jim Guest
6th	Rachel Bringer
7th	John Quinn
8th	Tom Shively
9th	Paul Quinn
10th	Terry L. Witte
11th	Ed Schieffer
12th	Doug Funderburk
13th	Bob Onder
14th	Joe Smith
15th	Sally A. Faith
16th	Carl L. Bearden
17th	Vicki Schneider
18th	Tom Dempsey
19th	Cynthia L. Davis
20th	Danielle (Danie) Moore
21st	Steve Hobbs
22nd	Therese Sander
23rd	Jeff Harris
24th	Ed Robb
25th	Judy Baker
26th	Joe Aull
27th	Ed Wildberger
28th	Rob Schaaf
29th	Martin T. Rucker
30th	Jason Brown
31st	Trent Skaggs
32nd	Jason Grill
33rd	Jerry Nolte
34th	Tim Flook
35th	Doug Ervin
36th	Bob Nance

37th	Mike Talboy
38th	Ryan Silvey
39th	Beth Low
40th	John Patrick Burnett
41st	Shalonn (KiKi) Curls
42nd	Leonard (Jonas) Hughes IV
43rd	Craig C. Bland
44th	Jenee Lowe
45th	Jason R. Holsman
46th	Kate Meiners
47th	Jeff Grisamore
48th	Will Kraus
49th	Terry Young
50th	Michael R. Brown
51st	Ray Salva
52nd	Paul LeVota
53rd	Curt Dougherty
54th	Gary Dusenberg
55th	Bryan Pratt
56th	Brian Yates
57th	Talibdin (TD) El-Amin
58th	Rodney R. Hubbard
59th	Jeanette Mott Oxford
60th	Jamilah Nasheed
61st	Connie (LaJoyce) Johnson
62nd	Dennis F. Wood
63rd	Robin Wright Jones
64th	Rachel Storch
65th	Fred Kratky
66th	Michael Vogt
67th	Mike Daus
68th	David Sater
69th	Gina Walsh
70th	John L. Bowman, Sr.
71st	Esther Hill Haywood
72nd	Maria N. Chappelle-Nadal
73rd	Margaret Donnelly
74th	Tony George
75th	Bruce Darrough
76th	Michael J. Spreng
77th	Michael George Corcoran
78th	Clint Zweifel
79th	Albert J. (Al) Liese
80th	Theodore (Ted) Hoskins
81st	Juanita Head Walton
82nd	Sam Page
83rd	Jake Zimmerman
84th	Allen Icet
85th	Jim Lembke
86th	Jane Cunningham
87th	T. Scott Muschany
88th	Neal C. St. Onge
89th	Timothy W. Jones
90th	Sam Komo
91st	Kathlyn Fares
92nd	Charles R. Portwood

93rd	Dwight Scharnhorst
94th	Rick Stream
95th	Jim Avery
96th	Patricia (Pat) Yaeger
97th	Walt Bivins
98th	Brian Nieves
99th	Mike Sutherland
100th	Sue Schoemehl
101st	Timothy G. (Tim) Meadows
102nd	Jeff Roorda
103rd	Ron Casey
104th	Joseph Fallert, Jr.
105th	Michael R. Frame
106th	Steven Tilley
107th	Brad Robinson
108th	Thomas Albert Villa
109th	Kevin Threlkeld
110th	Belinda Harris
111th	Charlie N. Schlottach
112th	Tom Loehner
113th	Mark J. Bruns
114th	Bill Deeken
115th	Rodney Schad
116th	Tom Self
117th	Kenny Jones
118th	Stanley Cox
119th	Larry D. Wilson
120th	Shannon Cooper
121st	David Pearce
122nd	Mike McGhee
123rd	Brian L. Baker
124th	Luke Scavuzzo
125th	Barney Fisher
126th	Ed Emery
127th	Steve Hunter
128th	Bryan P. Stevenson
129th	Ronald F. Richard
130th	Kevin Wilson
131st	Marilyn M. Ruestman
132nd	Don Ruzicka
133rd	Mike Parson
134th	Jim Viebrock
135th	Charles W. Denison
136th	B.J. Marsh
137th	Charlie Norr
138th	Sara Lampe
139th	Shane Schoeller
140th	Bob Dixon
141st	Jay Wasson
142nd	Raymond (Ray) Weter
143rd	Maynard Wallace
144th	Van Kelly
145th	Mike Cunningham
146th	Darrell Pollock
147th	Don Wells
148th	David Day

149th	Bob May
150th	Jason T. Smith
151st	Ward Franz
152nd	J.C. Kuessner
153rd	Mike Dethrow
154th	Gayle Kingery
155th	Wayne Cooper
156th	Rod (Rodney) Jetton
157th	Scott A. Lipke
158th	Nathan D. Cooper
159th	Billy Pat Wright
160th	Ellen Brandom
161st	Steve Hodges
162nd	Terry Swinger
163rd	Thomas (Tom) Todd

The following roll call indicated a majority of the Representatives present:

AYES: 161

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jetton	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Brown 30 Schneider

The following Representatives advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Laura Denvir Stith, Judge of the Supreme Court of Missouri.

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jetton	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

NOMINATIONS FOR TEMPORARY SPEAKER

Representative Moore nominated Representative Bob Dixon for temporary Speaker of the House.

Representative Wasson seconded the nomination.

Representative Wright-Jones nominated Representative Ed Wildberger for temporary Speaker of the House.

Representative Wildberger withdrew his nomination.

Representative Dempsey moved that nominations cease and that Representative Dixon be elected temporary Speaker of the House by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Dixon to the dais: Representatives Deeken, Bandom, Marsh, Nolte, Faith, Parson, Norr, Todd, Hodges and Curls.

Representative Dixon assumed the Chair.

ADDRESS BY TEMPORARY SPEAKER BOB DIXON

As we open the 94th General Assembly, let me begin by congratulating each member on being elected to serve in this august body and especially welcome those who are new to this House. To serve one's fellow man is indeed one of the noblest of callings.

Regardless of party affiliation, today's significance and our motivation is the same. We are here to do a job. We are here to serve the people of Missouri. We are here solely because our constituents sent us here.

Serving in this Chamber and presiding as temporary Speaker of the House is an honor. I am pleased to welcome each of our family members, guests, constituents, friends, former members and fellow Missourians. It is you who have made this day possible.

I am especially proud to be accompanied by my family my wife, Amanda, and my daughters Grace, Rose and Olivia. I'm also joined today by my mother Jean, a former member of this House and the first lady elected to it from Greene County. It is a truth undeniable by any observer each of our families has sacrificed so that we are able to serve the people of this great state.

To each family represented in the galleries of this Chamber today, we say from the depths of our beings, Thank You for the sacrifices you have made so that we can in fact serve the people of Missouri.

The prayers and support of our families, friends and constituents under gird this chamber and serve as a mighty foundation. May it carry on by Gods grace.

In ushering in this new session, let us with civility and common purpose set our sights once again upon the principles of good government, the rule of law, and the well being of the people.

NOMINATIONS FOR SPEAKER

Representative Cooper (120) nominated Representative Rod Jetton for Speaker of the House.

Representative Lembke seconded the nomination.

Representative Kuessner nominated Representative Jeff Harris for Speaker of the House.

Representative Harris (23) withdrew his nomination.

Representative Dempsey moved that nominations cease and that Representative Jetton be elected Speaker of the House by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Jetton to the dais: Representatives Ruestman, Fares, Parson, Icet, Nolte, Day, Cunningham (145), Scavuzzo, Komo, Zimmerman and Nasheed.

Representative Jetton subscribed to the oath of office which was administered by the Honorable Laura Denvir Stith.

Speaker Jetton assumed the Chair.

ADDRESS BY SPEAKER ROD JETTON

I would like to take a moment to formally introduce some distinguished guests. First I would like to introduce a veteran of our nation's military that I am honored to have in attendance today, Jason Brown. Next I want to introduce the Governor of Missouri, Governor Matt Blunt. In attendance with Governor Blunt are other statewide officials who are honoring this chamber with their presence. Also in attendance are Supreme Court Justices. I would like to extend a special introduction to my wife Cassie, my two daughters Emily and Callie, and my son Will. I would also like to introduce my parents, Bill and Judy Jetton. Finally it is my pleasure to introduce my father and mother-in-law, Frank and Marie, and my sister and brother-in-law Josh and Lottie.

As I stand before you today at the opening of the 2007 legislative session my mind goes back two years when you first elected me Speaker.

What a difference two years makes. What a difference you have made in two years we have changed laws that have made Missouri a much better place to live and raise a family, and I am proud to lead a Missouri House of Representatives that worked together to truly make a real difference for our citizens.

Two years ago we were the last state in America when it came to job creation. We lost 70,000 jobs in one year. Two years ago our budget was more than a billion dollars short and we faced having to cut millions of dollars in spending each year. Two years ago Missouri families were threatened by Meth production that lead the nation. Two years ago our state had a bloated Medicaid system with over one million Missourians and was in danger of bankrupting our state. Two years ago we had the second worst roads and the third worst bridge system in America. These bad roads jeopardized the life of our families and hurt our economy. And let's not forget education. Just a few short years ago 1/3 of our 4th graders could not read proficiently for their grade level, and our school funding formula was a disaster.

We looked for solutions to tackle these problems and together we accomplished a great deal.

First we fixed our economy and put people back to work. We did this by instituting tort reform, work comp reform, and unemployment comp reform. We created the Quality Jobs Act. We have added over 45,000 jobs in Missouri since January 2005. In August 2005 Missouri had the largest increase in employment nationally. Today our employment rate is 5.1% and has been as low as 4.4%.

Next we reduced spending by cutting waste, fraud and abuse and by improving programs. We cut spending on the lottery and sales went up. We cut millions in lease payments on sweetheart deals. We shrunk the state workforce to less than 60,000, and we sought to reform Medicaid that saved us \$138 million which was previously frauded from the system.

What has been the result of managing our tax dollars better? The best budget in seven years. We ended 2006 with almost \$300 million dollars ahead of projections and had a 9% growth rate in 2006. This growth should give us over \$300 million surplus, headed into 2007.

So, what have we done with some of the extra money and savings? We have provided low income energy assistance, given more money to the Meals on Wheels program. We have restored eye care for Medicaid. We have

given a 4% pay raise for state employees. Instituted a 2% increase to higher education funding, and we have increased funding to secondary and elementary education. When we are not facing billion dollar shortfalls it's amazing what happens.

We also take pride in one other fact. We fixed this budget, put people back to work and now have a significant surplus. All without raising taxes.

We also fixed our schools and passed a new funding formula. This new formula adds over \$900 million to schools over 7 years. Every school district in Missouri receives more money under this plan. Last year we passed the largest education budget in our state's history, but it also adds accountability to make sure we are getting the biggest bang for our buck. We also created the Classroom Trust Fund. The good news is that MAP Test scores are up and graduation rates are improving.

Stopping crime and improving public safety was another huge priority for us. We led the charge on stopping Methamphetamine production. We passed Jessica's Law to protect our youngest citizens. We passed stronger DWI laws. We also implemented the right to carry fix. We have reduced Meth incidents by over 40%, our children are now safer from sex offenders and we are getting repeat drunk drivers off our streets.

Also there has not been one instance of a permitted right to carry individual committing any crimes or causing problems. But there have been folks who defended themselves and stopped crimes, which is exactly what we hoped would happen if we passed this law.

Another area that I am very proud of, but can be a bit controversial are the abortion and life issues. We have a strong Pro-Life majority made up of both Democrats and Republicans in the House. We passed several bills aimed at making abortions rare. There is now a 24 hour wait for abortion. There is also a 30-mile radius to conduct abortions. Parental consent is now required for minors to get an abortion. It is also now illegal for minors to cross state lines to get an abortion.

These bills are working. We have gone from several abortion clinics a few years ago to just three today. And for the first time in years Missouri conducted less than 8,000 abortions last year. President Bill Clinton, an abortion supporter, always said his goal was to make abortions rare. Well, in Missouri thanks to your hard work we are doing just that.

I could go on and on listing some of the good things we did over the last two years. Such as stopping Eminent Domain abuse, creating Insurance reform, putting in place an Associated Healthcare Plans, passing the Ethanol standard, Highway reform through the Amendment 3 initiative, providing Emissions reforms, property tax relief for seniors, and creating the link deposit program. On all of these issues we worked together. Believe it or not many received bipartisan votes and passed with huge majorities. In fact Minority Leader Harris and I voted together over 70% of the time, as did myself and Representatives Donnelly, Skaggs, and Zweifel.

We made these changes together but there is still more to do. We can cut taxes on Social Security Benefits. We are one of only fifteen states that still tax these benefits. Our seniors have already paid taxes on this money once. It's not fair to have them pay twice and they need our help.

We need to improve Senior Citizen Nutrition; believe it or not for many seniors getting enough to eat each day is a real problem. The food stamp program is failing some of our poorest seniors. We need to step in and help those who have worked so hard to make Missouri successful.

We need to institute teacher liability protection. Discipline is a major problem for teachers in the classroom. Too many parents don't seem to care about their kid's behavior or education. Many times this negatively affects the learning for the rest of the class. We need laws that will protect teachers from these children and remove them from the classroom so the children who want to learn can. It is sad when two or three kids ruin the education of the other twenty. Let's protect our teachers.

It is time to deal with the St. Louis public schools crisis. For too long these schools have been failing the children of St. Louis. Each time a solution is offered the bureaucrats in charge ask for more time and make excuses for their failures. We can't wait any longer. These children can't wait any longer. Now is the time to act.

It is also time to establish English as the official language of Missouri. English is the one thing that brings all Americans together. Having all our citizens learn English will not only help our newest citizens fit in, but it will make our whole state more competitive with the world. This is the year we should pass this bill.

We need to provide more and better college scholarships. College tuition is growing out of control for many families. We should follow Georgia's lead and provide a scholarship to all Missouri students who want to attend college in Missouri. Help me keep our best and brightest right here at home.

We need to continue stopping Medicaid fraud. We need to pass a bill that will stop fraud and still make sure our poorest citizens have access to quality healthcare. We should allow citizens and workers who spot fraud to keep some of the savings, and those who commit fraud should be fined and face criminal prosecution for the worst cases. But we need to protect doctors from civil lawsuits that might discourage them from seeing Medicaid patients. Today is the day we end fraud in Missouri.

Things are better because of us. I am sure none of the bills we passed were exactly like each of us wanted them. However, there were lots of changes debated; some may have went the way you wanted while others didn't. But in the end the results speak for themselves.

Two years ago we were the number one job loss state in America. Now we have more Missourians working.

Two years ago our budget was over a billion dollars short and we faced each year having to cut millions of dollars in spending. Last year revenues were nearly a \$300 million dollar surplus, and we are going into next year with at least a \$300 million dollar surplus.

We've gone from several abortion clinics to just three today, and there will be less abortions performed in Missouri this year than any year since 1975.

Two years ago we were the number one Meth producing state in America. Today Meth incidents are down 40% and our kids have a much better chance of not getting hooked on that life-ending drug.

Two years ago we had the second worst roads and the third worst bridge system in America. Finally we are building roads and repairing bridges thanks to the reforms that have changed MoDOT. This will help our economy prosper, but more importantly our families will be safer.

Let's not forget education. Just a few short years ago 1/3 of our 4th graders could not read proficiently for their grade level, and our school funding formula was a disaster. Today, we have a new formula based on student need and district performance. Finally our kids have a better chance for learning and we are spending millions more in the classroom with added accountability.

All this was accomplished with no new taxes. All the critics said our state budget was in a mess and the only way to fix it was by raising taxes. We've seen several ballot initiatives trying to get voters to raise taxes. They all failed. Voters told us not to raise taxes. They wanted us to make changes and manage the state better. That is just what we did.

With no tax increases we have: more people working, a budget surplus, less crime, better roads and bridges, lower property taxes for seniors, more money for education, increased funding for senior nutrition, and better pay for state workers. There is still more to do, there are obstacles to overcome. Together as Republicans and Democrats we will debate the big issues, argue the merits of bills, and keep fighting to make Missouri the best place in America; to start a business, to raise a family, and to enjoy life.

NOMINATIONS FOR SPEAKER PRO TEM

Representative Dempsey nominated Representative Carl Bearden for Speaker Pro Tem of the House.

Representative Parson seconded the nomination.

Representative Baker (25) nominated Representative Paul LeVota for Speaker Pro Tem of the House.

Representative LeVota withdrew his nomination.

Representative Dempsey moved that nominations for Speaker Pro Tem of the House cease and Representative Bearden be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Bearden to the dais: Representatives Faith, Moore, Onder, Pollock, Tilley, Yates, George, El-Amin, Holsman and Talboy.

Representative Bearden subscribed to the oath of office which was administered by the Honorable Mary Rhodes Russell, Judge of the Supreme Court of Missouri.

Speaker Pro Tem Bearden assumed the Chair.

ADDRESS BY SPEAKER PRO TEM BEARDEN

Mr. Speaker, Justices of the Court, and Members of the General Assembly, thank you for again granting me the opportunity to serve as your Speaker Pro Tem. It is a privilege and great responsibility that I accept with gratitude. I will seek to honor your trust with the courage of my convictions and renewed vigor as I serve this body and the people of Missouri.

Now is a good time for each of us to take an opportunity to acknowledge and return thanks to those who helped make this day possible.

We thank our families - many of whom are here today - for the love and support they provide for us, and also for the many sacrifices they make to enable our service to the public.

This occasion marks my final oath of office as a State Representative and as your Speaker Pro Tem. I pause to recognize - my wife of 32 years, Debbie - my oldest daughter Amber and her husband Mike - and my youngest daughter Allison. Thank all of you for your love and support and making my service possible.

We must thank the great Missourians who came before us in this House for their hard work and commitment to this institution which made the Missouri House the people's House. We pledge to honor that heritage by maintaining the best traditions married with the will to govern combined with robust yet collegial debate and meaningful solutions for the issues that face our state.

We show our thanks to our active military men and women and our veterans. Without their sacrifices and brave dedication to our republic, none of us would be here today.

And - of course - we thank our constituents who expressed their faith in us on election day. We will return their trust by conducting ourselves with dignity and integrity and by listening as we lead.

To serve the people of St. Charles County and the people of Missouri is a privilege that I both cherish and take very seriously. Our obligation is to pour our hearts, our souls, our time, and our talents into the duties we've been entrusted to fulfill.

There will certainly be partisan battles and principled disagreements - and there's nothing wrong that - but the key is to be assertive yet accommodating; passionate yet productive. Indeed, the majority will prevail, but the minority will be heard and respected.

We all wish for a better Missouri - a state as great as its people. A state where children are given a world-class education and have opportunities for good jobs within their own communities. A state where families are strong, the vulnerable are protected, and where dreams can come true. We may differ on the road map we use to get there, but the ultimate destination is most often the same. I hope we can all remember that when the partisan disagreements come.

The last time you afforded me the honor to be your Speaker Pro Tem, I made a pledge to you that I would carefully examine all sides of the issues before us, weigh all available options, and make decisions based upon what is right rather than what is most popular. I renew that pledge to you today and urge you as legislators to do the same.

On this day two years ago, I spoke of the opportunity before us to become "captains of change" to transform Missouri into a better place to live, work, and raise a family.

I'm proud to say that we seized that opportunity, and because of our actions, the sun is brightly shining on Missouri and the flowers of renewed prosperity are starting to reach full bloom.

Because of our work, Missouri's economy is strong, with new jobs being created and with businesses expanding and relocating here.

Because of our work, our schools are receiving more funding, our private property is protected, and both our children and our elderly are safer.

And because of our work, the significant budget shortfalls we faced not too long ago have evaporated, and we've done it without a tax increase.

But this day is not about the successes of the past. As Abraham Lincoln said, "You cannot escape the responsibility of tomorrow by evading it today."

That's why we are here - to accept and embrace that responsibility for Missouri's "tomorrows".

To build upon the past and to ensure that a bright future is indeed Missouri's destiny, we must seize the new opportunity before us to continue in our roles as "captains of change" and to do so with courage.

We must summon the courage to confront the challenges and obstacles that our state faces today and tomorrow.

That means we must summon the courage not to recklessly spend the tax money that Missourians work so hard to earn, but to ensure that waste and fraud are eliminated and that hard-working citizens are rewarded with tax relief.

We were not elected to serve a taxpayer-funded government and its bureaucracy. We are here to serve the tax-paying people.

We must summon the courage to confront the challenge of those failing and struggling schools, not by too timid to challenge the status quo but by offering real solutions to very real problems.

We must remember that our mission is not to serve the education establishment, but to serve the schoolchildren that are the very essence of our future.

We must summon the courage to confront the growing crisis of access and affordability in higher education, opening new doors to more students, as opposed to shutting them.

We must remember that our charge is not to serve the institutions, but to serve the students and parents that struggle to make the dream of a college education a reality.

And we must summon the courage to begin to build a new healthcare safety net that provides higher quality care to those that need it most. It must be a program that is compassionate and accessible, yet is sustainable enough to ensure a healthy future for Missouri for years to come.

I am reminded of the Biblical passage that says, “The harvest is plentiful, but the laborers are few.”

Each of you have volunteered to be laborers for the good people of this state...determined, diligent, and - yes - courageous.

Look at this marvelous building in which you sit. The construction of this great Capitol was completed in 1917, 90 years ago this year. Many momentous decisions for our state have been made right here - some good and some not so good.

Despite its grandeur, our strength as a House of Representatives comes not from this building, its pillars, or its history.

Our strength as a House comes not from the power we wield within these walls.

And our strength as a House comes not from our own wisdom or understanding, or the party label behind our name.

Instead, it comes from the people of Missouri who elected us and inspire us, our friends and our family who love and support us, our fellow members who will work with us, and - most importantly - from our Creator who protects and sustains us. And may we never forget it.

I again thank each of you for the honor and privilege to serve again as the Speaker Pro Tem of the Missouri House of Representatives.

May God bless our work during the coming General Assembly, and may He continue to bless the great state of Missouri.

Speaker Jetton resumed the Chair.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read by Ryan Lewis of Truman State University.

BILL OF RIGHTS

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

HOUSE RESOLUTIONS

Representative Dempsey offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Rules of the House of Representatives of the Ninety-third General Assembly, and all amendments thereto, be the temporary Rules of the House of Representatives, Ninety-fourth General Assembly, until or unless otherwise ordered.

On motion of Representative Dempsey, **House Resolution No. 1** was adopted.

Representative Dempsey offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the following be elected permanent officers of the House of Representatives of the Ninety-fourth General Assembly.

Chief Clerk.....	D. Adam Crumbliss
Doorkeeper.....	Jerome Oligschlaeger
Sergeant-at-Arms.....	Ralph Robinett
Chaplains.....	Reverend Monsignor Donald W. Lammers and Reverend James Earl Jackson

On motion of Representative Dempsey, **House Resolution No. 2** was adopted.

The following officers subscribed to the oath of office which was administered by the Honorable Rod Jetton, Speaker of the House.

Chief Clerk.....	D. Adam Crumbliss
Doorkeeper.....	Jerome Oligschlaeger
Sergeant-at-Arms.....	Ralph Robinett
Chaplains.....	Reverend Monsignor Donald W. Lammers and Reverend James Earl Jackson

Representative Dempsey offered **House Resolution No. 3**, which was read.

HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-fourth General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker	Rod Jetton
Speaker Pro Tem	Carl Bearden
Chief Clerk	D. Adam Crumbliss
Doorkeeper	Jerome Oligschlaeger

Sergeant-at-Arms Ralph Robinett
Chaplains Reverend Monsignor Donald W. Lammers and
Reverend James Earl Jackson

On motion of Representative Dempsey, **House Resolution No. 3** was adopted.

Representative Dempsey offered **House Resolution No. 4**, which was read.

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-fourth General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Dempsey, **House Resolution No. 4** was adopted.

Representative Dempsey offered **House Resolution No. 5**, which was read.

HOUSE RESOLUTION NO. 5

WHEREAS, the members of the Missouri House of Representatives take great pride in recognizing those outstanding public servants who have consistently performed their official duties with the highest degree of dedication, competence, and integrity; and

WHEREAS, the Honorable Robin Carnahan is to be praised and commended for the conscientious and effective manner in which she has performed her duty of presiding over the deliberations of the House of Representatives prior to its temporary organization, one of the numerous responsibilities of the Secretary of State under the Constitution of the Great State of Missouri; and

WHEREAS, since taking the oath of office in January 2005, the Honorable Robin Carnahan has distinguished herself through tireless commitment to each and every one of her responsibilities as Secretary of State; and

WHEREAS, prior to becoming Missouri's 38th Secretary of State, Robin Carnahan worked in central and eastern Europe to help rebuild the region's democracies and economics by drafting voting laws, training new political leaders, and monitoring elections, and has worked in six countries to promote democracy and free elections; and

WHEREAS, during her current tenure in office, Robin Carnahan has worked to protect consumers, initiated and settled a number of high profile securities cases, developed the "Investor Bill of Rights", and has been recognized as a national leader in securities law enforcement; and

WHEREAS, as Missouri's chief election official, Robin Carnahan has made it her top priority to ensure fairness in the election systems of Missouri so our citizens have confidence that their votes are counted:

WHEREAS, therefore, be it resolved that we, the members of the Missouri House of Representatives, Ninety-fourth General Assembly, join unanimously in expressing sincere appreciation and deep gratitude to the Honorable Robin Carnahan for the proud and faithful manner in which she has served this legislative body and in wishing her only the best in her continuing endeavors to meet the needs of Missouri's citizens by providing them with the finest quality of service and information available through the Office of the Secretary of State; and

NOW, THEREFORE, BE IT RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Robin Carnahan as a mark of our esteem for her.

On motion of Representative Dempsey, **House Resolution No. 5** was adopted.

Representative Dempsey offered **House Resolution No. 6**, which was read.

HOUSE RESOLUTION NO. 6

WHEREAS, as the Ninety-fourth General Assembly of the State of Missouri convenes on Wednesday, January 3, 2007, the members of the Missouri House of Representatives proudly acknowledge services rendered to the General Assembly by distinguished public servants of this fair state; and

WHEREAS, the Honorable Laura Denvir Stith, Judge of the Supreme Court of Missouri, deserves countless words of praise and commendation for the selfless manner in which she has given her valuable time to administer the oath of office to members of this legislative body in accordance with Missouri law; and

WHEREAS, during the inaugural session of the House of Representatives, Judge Stith displayed the highest degree of dedication in continuing the long-established tradition of rendering a sense of both dignity and solemnity in the prestigious ceremony which marks the official beginning of each legislator's two-year term in office as an elected representative of the people of Missouri; and

WHEREAS, it is entirely fitting and proper that this legislative body should take pause to applaud the numerous and laudable achievements of the Honorable Laura Denvir Stith during her exemplary legal career:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-fourth General Assembly, join unanimously in expressing our most sincere thanks and deepest appreciation to the Honorable Laura Denvir Stith for the devoted and faithful manner in which she has served this body and further extend our very best wishes for continued great success and even more outstanding accomplishments in executing her numerous varied duties and responsibilities as a Judge of our State's Highest Court; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Laura Denvir Stith as a mark of our esteem for her.

On motion of Representative Dempsey, **House Resolution No. 6** was adopted.

HOUSE CONCURRENT RESOLUTIONS

Representative Dempsey offered **House Concurrent Resolution No. 1**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-fourth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 10, 2007, to receive a message from His Honor Chief Justice Michael A. Wolff, the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-fourth General Assembly, First Regular Session, are now organized and ready for business and to receive

any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Dempsey, **House Concurrent Resolution No. 1** was adopted.

Representative Dempsey offered **House Concurrent Resolution No. 2**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-fourth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Wednesday, January 24, 2007, to receive a message from His Excellency, the Honorable Matt Blunt, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-fourth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Dempsey, **House Concurrent Resolution No. 2** was adopted.

HOUSE RESOLUTION

Representative Avery offered House Resolution No. 7.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 8 through House Resolution No. 14.

HOUSE CONCURRENT RESOLUTION

Representative Lampe offered House Concurrent Resolution No. 4.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 3, introduced by Representatives Kuessner, Shively, Low (39), Frame, Harris (110) and Chappelle-Nadal, disapproving the amount of increase in compensation for public officials as recommended by the Missouri Citizen's Commission on Compensation for Elected Officials.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 1, introduced by Representatives Cunningham (86), Ruestman, Stevenson, Munzlinger, Lembke, Emery, Sander, Day, Baker (123) and Nolte, relating to state court jurisdiction.

HJR 2, introduced by Representatives Kraus, Yates, Flook and McGhee, relating to the general assembly.

HJR 3, introduced by Representatives Dusenberg, Pratt, Yates, Kraus, Lembke and Sater, relating to the department of transportation.

HJR 4, introduced by Representatives Kuessner, Baker (25) and Dusenberg, relating to submission of constitutional amendments.

HJR 5, introduced by Representatives Kuessner and Roorda, relating to initiative petitions.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 26, introduced by Representatives Cunningham (86) and Nolte, relating to the telemarketing no-call list.

HB 27, introduced by Representative Cunningham (86), relating to stealing.

HB 28, introduced by Representative Cunningham (86), relating to carriers of household goods.

HB 29, introduced by Representative Cunningham (86), relating to the governing council of certain special school districts.

HB 30, introduced by Representative Cunningham (86), relating to school district participation in statewide activities associations.

HB 31, introduced by Representative Cunningham (86), relating to eminent domain displacement payments.

HB 32, introduced by Representative Cunningham (86), relating to the visibility of street addresses.

HB 33, introduced by Representative Cunningham (86), relating to governing boards of certain educational institutions.

HB 34, introduced by Representative Cunningham (86), relating to sales taxes on health and fitness centers.

HB 35, introduced by Representative Cunningham (86), relating to school-sponsored clubs and extracurricular activities.

HB 36, introduced by Representative Cunningham (86), relating to property taxation.

HB 37, introduced by Representatives Whorton, Day, Baker (25), McGhee, Harris (110), Munzlinger, Casey, Kuessner, Villa and Meadows, relating to the telemarketing no-call list.

HB 38, introduced by Representative Cunningham (86), relating to school credit.

HB 39, introduced by Representatives Portwood, Lembke, Baker (25), Silvey, Bland, Tilley, Storch, Sater, Kuessner, Dixon, Muschany, Avery, Dempsey, Ruestman, Bruns, Day, Nance, Faith, Cunningham (86), Sander, Fares, Dusenberg, Wright, Viebrock, McGhee, Swinger, Wallace, Munzlinger, Stevenson, Smith (150), Whorton, Roorda, Meiners, Talboy, Harris (110) and Schoeller, relating to medical assistance eligibility for certain persons.

HB 40, introduced by Representatives Portwood, Lembke, Avery, Dempsey, Schaaf, McGhee, Dusenberg, Wood, Wright, Sander, Sater, Silvey, Schneider, Swinger, Young, Bruns, Stevenson, Moore, Walton, Smith (150), Meiners, Yaeger and Schoeller, relating to long-term care insurance.

HB 41, introduced by Representative Portwood, relating to special advisors to police departments.

HB 42, introduced by Representative Portwood, relating to duties of the board of police commissioners.

HB 43, introduced by Representative Smith (14), relating to the tasting of wine.

HB 44, introduced by Representative Smith (14), relating to the tasting of liquor.

HB 45, introduced by Representative Smith (14), relating to the selling of liquor.

HB 46, introduced by Representatives Viebrock and Stevenson, relating to impoundment of animals.

HB 47, introduced by Representatives Bringer and Witte, relating to the telemarketing no-call list.

HB 48, introduced by Representatives Harris (23), LeVota, Wildberger, Robinson, Salva, Schoemehl, Page, Norr, Low (39), Harris (110), Yaeger, Shively, Walsh, Young, Baker (25), Bowman, Rucker, Skaggs, Wright-Jones, Meiners, Fallert, Grill, Roorda, Meadows and Spreng, relating to an income tax deduction for certain tuition payments.

HB 49, introduced by Representative Sater, relating to prescriptive authority.

HB 50, introduced by Representative Sater, relating to child custody.

HB 51, introduced by Representative Sater, relating to orders of protection.

HB 52, introduced by Representative Sater, relating to motor vehicle warranties.

HB 53, introduced by Representative Sater, relating to an income tax deduction for qualified hybrid motor vehicle purchases.

HB 54, introduced by Representative Sater, relating to Medicaid.

HB 55, introduced by Representative Sater, relating to healthcare information technology.

HB 56, introduced by Representatives Sater, Day, McGhee, Roorda, Moore, Robb and Schoeller, relating to the designation of a memorial highway.

HB 57, introduced by Representatives Sater, Wells, Robb and Schoeller, relating to elections in villages.

HB 58, introduced by Representatives Sater and Robb, relating to candidate filing fees.

HB 59, introduced by Representatives Sater, Day, Fisher, Sander, McGhee, Wells, Moore, Robb, Meadows and Schoeller, relating to a registry for methamphetamine offenders.

HB 60, introduced by Representatives Ruestman, Wood, Munzlinger, Jones (117), Smith (14), Day, Fisher, Dixon, Sander, Faith, Wilson (130), Sater, Whorton, Wallace, Dusenberg, Wells, Robb, Stevenson, Wright, Denison, Muschany, Moore, Lembke, Smith (150), Onder, Dethrow and Schoeller, relating to the use of force.

HB 61, introduced by Representatives Ruestman, Day, Fisher, Sander, Wilson (130), Sater, Wallace, Stevenson, Denison, Moore, Munzlinger and Schoeller, relating to the prevailing wage.

HB 62, introduced by Representatives Ruestman, Day, Sander, Wilson (130), Wright, Denison, Moore, Wright-Jones and Schoeller, relating to designation of a certain state building.

HB 63, introduced by Representatives Davis, Ruestman, McGhee, Sater and Schoeller, relating to school course materials.

HB 64, introduced by Representatives Davis and Yates, relating to a school holiday for election day.

HB 65, introduced by Representatives Davis and Ruestman, relating to a property tax credit for certain educational expenses.

HB 66, introduced by Representatives Davis and Ruestman, relating to state legal expense fund.

HB 67, introduced by Representative Viebrock, relating to election offenses of the third and fourth classes.

HB 68, introduced by Representative Cunningham (145), relating to holidays.

HB 69, introduced by Representative Day, relating to transient guest taxes.

HB 70, introduced by Representatives Day, Pearce, Munzlinger, Sater, McGhee and Robb, relating to transfer student curriculum.

HB 71, introduced by Representatives Baker (25) and Meadows, relating to the transportation of radioactive waste.

HB 72, introduced by Representatives Baker (25), Page, Meiners, Wright, Wright-Jones, Low (39), Roorda, Whorton and Oxford, relating to eligibility for medical assistance.

HB 73, introduced by Representatives Young and Yates, relating to license plates.

HB 74, introduced by Representatives Wilson (119), Fisher, Whorton, McGhee, Munzlinger and Wallace, relating to rural empowerment zone criteria.

HB 75, introduced by Representative Sutherland, relating to park services.

HB 76, introduced by Representative Smith (14), relating to a tax credit for donations to families of veterans of the military.

HB 77, introduced by Representative Schaaf, relating to standardized insurance forms.

HB 78, introduced by Representative Davis, relating to the telemarketing no-call list.

HB 79, introduced by Representatives Loehner, Day, Wallace, Bruns, Denison and Faith, relating to the telemarketing no-call list.

HB 80, introduced by Representative Loehner, relating to boat registration.

HB 81, introduced by Representative Loehner, relating to the tasting of liquor.

HB 82, introduced by Representatives Kraus and Yates, relating to the failure to wear a safety belt.

HB 83, introduced by Representatives Kraus and McGhee, relating to payment of costs of prosecution of criminal offenses.

HB 84, introduced by Representative Kraus, relating to juvenile court jurisdiction.

HB 85, introduced by Representatives Kraus, Smith (14), Day, Dusenberg, McGhee and Meadows, relating to employment of illegal aliens.

HB 86, introduced by Representatives Kraus, Muschany, Dusenberg and McGhee, relating to the designation of parent and family involvement in education week.

HB 87, introduced by Representatives Kraus and Dusenberg, relating to the needy persons fund.

HB 88, introduced by Representatives St. Onge, Parson, Wilson (119), Yaeger, Sater and Robb, relating to state highways and transportation commission authority to implement electronic bidding on state highway system projects.

HB 89, introduced by Representatives St. Onge, Nance, Parson, Wilson (119), Yaeger, Sater, Robb and Moore, relating to travel safe zones.

HB 90, introduced by Representatives St. Onge, Page, Schaaf, Storch, Bivins, Denison, Threlkeld, Baker (25), Yaeger, Zweifel, Smith (14), Schneider, Silvey, Daus, Bruns, Skaggs, Low (39), Nolte, May, Lowe (44), Fares, Roorda, Schlottach, Meadows, Kratky, Faith, Moore, Scharnhorst, Dougherty, Flook, Donnelly, Hubbard, Dempsey, Wood, Johnson, Weter, Bowman, Hoskins and Schoemehl, relating to safety belts.

HB 92, introduced by Representative Pollock, relating to endangering the welfare of a child or unborn child.

HB 93, introduced by Representatives Casey, Roorda, Frame and Meadows, relating to county library subdistricts.

HB 94, introduced by Representatives Sater, Weter, Walton, Faith, Denison and Swinger, relating to confidentiality of prescriptive information.

HB 95, introduced by Representatives Sater, Scharnhorst, Weter, Meadows, Dusenberg, Swinger, Ervin, Wright-Jones, Faith and Sander, relating to a health insurance premium assistance program.

HB 96, introduced by Representative Sater, relating to animal facilities.

HB 97, introduced by Representatives Yates, Kraus, Dusenberg, Grisamore, Pratt, Wilson (130), Moore, Avery, Portwood, Nolte, Nance, Bruns, Day, Fisher, Schaaf, Scharnhorst, Faith, Guest, Sater, Davis, Stevenson, McGhee, Munzlinger and Wasson, relating to telemarketing no-call list.

HB 98, introduced by Representative Parson, relating to transportation services for the elderly.

HB 99, introduced by Representative Parson, relating to the regulation of motor vehicles.

HB 100, introduced by Representatives Ruestman, Schoeller, Roorda, Schaaf, Kraus, Fisher, Day, Stevenson, Nance, Sater, Emery, Wilson (130), McGhee, Moore, Robb and Dixon, relating to an income tax credit for volunteer firefighters.

HB 101, introduced by Representatives Wildberger, Harris (110), Baker (25), Yaeger, Young, Wright-Jones, Burnett, Swinger, Rucker, Donnelly, Frame, Page, Norr, Meiners, Whorton, Schieffer, Scavuzzo, Quinn (9), Fallert, Zimmerman, Grill, Storch, Villa, Day, Harris (23), Roorda, LeVota, Meadows, Robinson, Moore and Shively, relating to the telemarketing no-call list.

HB 102, introduced by Representatives Wildberger, Harris (110), Baker (25), Yaeger, Young, Wright-Jones, Burnett, Swinger, Rucker, Donnelly, Frame, Page, Norr, Meiners, Whorton, Schieffer,

Scavuzzo, Quinn (9), Fallert, Zimmerman, Grill, Storch, Villa, Day, Harris (23), Roorda, LeVota, Meadows, Robinson, Moore and Shively, relating to the telemarketing no-call list.

HB 103, introduced by Representatives Portwood, Avery, Sater, Dusenberg and Lembke, relating to tax increment financing.

HB 104, introduced by Representatives Meiners, Young, Wildberger, Swinger, Dusenberg, Walsh, Chappelle-Nadal, Kraus, Moore, Fallert, Grill, Holsman, Talboy and Robb, relating to sales and use tax on purchased or leased motor vehicles.

HB 105, introduced by Representatives Meiners and Wildberger, relating to temperature-adjusted gasoline and diesel fuel.

HB 106, introduced by Representative Meiners, relating to higher education scholarships for foster children.

HB 107, introduced by Representative Meiners, relating to unsolicited checks or other negotiable instruments.

HB 108, introduced by Representative Meiners, relating to foster care.

HB 109, introduced by Representatives Bringer, Quinn (9) and Shively, relating to school aid.

HB 110, introduced by Representatives Flook, Page, Faith, Kingery, Moore and Baker (25), relating to school bus safety belts.

HB 111, introduced by Representative Cunningham (145), relating to tuition.

HB 112, introduced by Representatives Pearce, Stevenson, Dempsey, Day, Nolte, Yates, Bruns, Sater, Roorda, Page, Portwood, Weter, Dusenberg, Munzlinger, Ruestman, Scharnhorst, Guest, Daus, Wildberger, Denison, Harris (110), Moore, Villa, McGhee, Dethrow and Wilson (119), relating to the telemarketing no-call list.

HB 113, introduced by Representative Threlkeld, relating to leaving a child unattended in a motor vehicle.

HB 114, introduced by Representative Pollock, relating to commercial drivers' licenses.

HB 115, introduced by Representatives Denison, McGhee, Wallace, Rucker, Muschany, Fisher, Dusenberg, Wells, Moore, Robinson, Meadows and Weter, relating to institutional vandalism.

HB 116, introduced by Representatives Denison, Schaaf, Kraus, Sander, Ruestman, Schneider, Fisher, Wells, Moore, Schoeller, Scharnhorst and Weter, relating to an income tax deduction for long-term care insurance premiums.

HB 117, introduced by Representative Wasson, relating to architects, professional engineers, and land surveyors.

HB 118, introduced by Representative Schaaf, relating to the civil air patrol.

HB 119, introduced by Representatives Bruns and Richard, relating to income tax setoffs.

HB 120, introduced by Representative Pearce, relating to the regulation of sexually oriented billboards.

HB 121, introduced by Representatives Nance and Nolte, relating to the state's maximum liability for certain types of tort claims.

HB 122, introduced by Representative Nance, relating to revenues generated by moving traffic violations.

HB 123, introduced by Representatives Nance, Nolte, Whorton, McGhee and Ruestman, relating to small claims actions.

HB 124, introduced by Representative Nance, relating to commercial zones.

HB 125, introduced by Representative Franz, relating to collection of taxes.

HB 126, introduced by Representative Franz, relating to salary schedules of county officials.

HB 127, introduced by Representative Cooper (120), relating to sales and use taxes.

HB 128, introduced by Representative Cooper (120), relating to sales tax.

HB 129, introduced by Representative Cooper (120), relating to net operating loss.

HB 130, introduced by Representative Cooper (120), relating to sales and leases by local governments.

HB 131, introduced by Representative Cooper (120), relating to sales and use taxes on manufacturing.

HB 132, introduced by Representatives Robb, Moore, Wallace, Cooper (158) and Cunningham (86), relating to bond registration fees.

HB 133, introduced by Representatives Moore, Dusenberg, Portwood, Day, Fisher, Ruestman, Nolte, Faith, Sander, Sater, Roorda, Nance, Ervin, Bivins, Fares and Emery, relating to income taxation.

HB 134, introduced by Representatives Guest, Emery and Nolte, relating to equipment grants for engineering programs.

HB 135, introduced by Representative Pearce, relating to the members of the military and their families.

HB 136, introduced by Representatives Nolte, Ruestman, Roorda, Ervin, Sater, Nance, Robb, Moore, Silvey and Flook, relating to prohibiting the possession, use or abuse of certain substances and devices.

HB 137, introduced by Representatives Salva, Wildberger and Meadows, relating to motor fuel tax exemptions.

HB 138, introduced by Representatives Salva, Wildberger and Meadows, relating to voting systems.

HB 139, introduced by Representatives Salva, Wildberger and Meadows, relating to utility rate adjustments.

HB 140, introduced by Representatives Salva, Wildberger and Meadows, relating to insurance credit scoring.

HB 141, introduced by Representatives Salva, Wildberger and Meadows, relating to lis pendens.

HB 142, introduced by Representatives Salva, Wildberger and Meadows, relating to uninsured motorists.

HB 143, introduced by Representatives Salva, Wildberger and Meadows, relating to use and occupancy restrictions for structures on lands and waters of certain hydroelectric projects.

HB 144, introduced by Representatives Salva, Wildberger and Meadows, relating to lemon laws for boats and watercraft.

HB 145, introduced by Representatives Salva, Wildberger, Dusenberg and Meadows, relating to traffic safety task forces.

HB 146, introduced by Representatives Salva, Wildberger, Dusenberg and Meadows, relating to travel to terrorist states.

HB 147, introduced by Representatives Salva, Wildberger and Meadows, relating to a motor fuel tax exemption for school districts.

HB 148, introduced by Representatives Salva, Wildberger and Meadows, relating to taxes on annuities, pensions, retirement allowances, and disability allowances.

HB 149, introduced by Representatives Salva, Wildberger and Meadows, relating to a health insurance premium deduction.

HB 151, introduced by Representatives Chappelle-Nadal and Oxford, relating to the women, infants and children special supplement food program.

HB 152, introduced by Representatives Chappelle-Nadal, Oxford, Sater and Johnson, relating to workplace violence.

HB 153, introduced by Representatives Swinger, Kuessner and Witte, relating to marriage licenses.

HB 154, introduced by Representatives Swinger, Kuessner and Witte, relating to the telemarketing no-call list.

HB 155, introduced by Representatives Dusenberg, Day, Cooper (120), Kraus, Nieves, McGhee, Moore, Fisher, Wood, Whorton, Wallace, Young, Kuessner, Wilson (119), Munzlinger, Wright, Smith (150) and Sander, relating to protective headgear for operation of motorcycles or motortricycles.

HB 156, introduced by Representative Talboy, relating to the duty of a pharmacy to fill prescriptions.

HB 157, introduced by Representative Talboy, relating to animal neglect.

HB 158, introduced by Representatives Deeken, Dixon, Whorton, McGhee, Harris (110), Wilson (119) and Kuessner, relating to election costs.

HB 159, introduced by Representatives Bivins, Whorton, Sater and Moore, relating to dam and reservoir safety.

HB 160, introduced by Representative Bivins, relating to notices of property assessments.

HB 161, introduced by Representative Bivins, relating to storm water control bonds.

HB 162, introduced by Representatives Bivins, Smith (14) and Whorton, relating to the board of directors of certain political subdivisions.

HB 163, introduced by Representatives Bivins and Sater, relating to strategic litigation against public participation.

HB 164, introduced by Representatives Weter and Robb, relating to deed restrictions.

HB 165, introduced by Representative Cooper (120), relating to assessment and collection of various taxes on telecommunications companies.

HB 166, introduced by Representative Hoskins, relating to write-in candidates.

HB 167, introduced by Representative Hoskins, relating to license plates.

HB 168, introduced by Representative Hoskins, relating to income tax credit for the elderly.

HB 170, introduced by Representative Cooper (158), relating to crimes of violence against children and the elderly.

HB 171, introduced by Representative Cooper (158), relating to identity theft.

HB 172, introduced by Representative Cooper (158), relating to income taxation.

HB 173, introduced by Representative Cooper (158), relating to income tax exemptions for military pensions.

HB 174, introduced by Representative Smith (14), relating to Sunday sales of liquor.

HB 175, introduced by Representatives Dusenberg, Kraus, Ruestman, Emery, Day, Schad and Moore, relating to sex offenders.

HB 176, introduced by Representatives Dusenberg, Fisher, Bruns, Kraus, Roorda, Scharnhorst, Schad, Munzlinger and Moore, relating to an income tax credit for surviving spouses of certain public safety officers.

HB 177, introduced by Representatives Dusenberg, Ruestman, Meadows, Sater, Sander and Bivins, relating to license plates.

HB 178, introduced by Representatives Dusenberg and Wells, relating to the compulsive gamblers fund.

HB 179, introduced by Representatives Day, Fisher, Sater, Sander, Robb and Dusenberg, relating to distribution of proceeds in the gaming commission fund.

HB 180, introduced by Representatives Day, Sater, Munzlinger, Meadows, McGhee, Schoeller, Smith (150), Cooper (120), Schad, Wilson (119) and Moore, relating to the sale or trade of confiscated firearms.

HB 181, introduced by Representatives Sander, Walton, Page and Moore, relating to captioning of electronic video instructional materials.

HB 182, introduced by Representatives Bruns, Sater, Schad, Page, Whorton, Roorda, Baker (25), Deeken, Weter and Richard, relating to outside the hospital do-not-resuscitate orders.

HB 183, introduced by Representatives Liese, Harris (23), Fallert, Moore, Robb and Shively, relating to military license plates.

HB 184, introduced by Representatives Dempsey, Yates, Page, Bruns, Kraus, Bearden, Avery, Schneider, Yaeger, Sander, Scharnhorst, Meadows, Sater, Moore and Smith (14), relating to sales tax affecting certain taxing districts.

HB 185, introduced by Representatives Harris (110), Sander, Kuessner, Fisher, Frame, Moore, McGhee and Roorda, relating to environmental control.

HB 186, introduced by Representatives Portwood, Lembke, Muschany, Frame, Young and Faith, relating to personal property tax relief.

HB 187, introduced by Representatives Salva, Wildberger and Meadows, relating to an exemption for veteran's organizations from certain bingo taxes.

HB 188, introduced by Representatives Salva, Wildberger and Meadows, relating to an exemption for veteran's organizations from taxes on pull-tab cards.

HB 189, introduced by Representatives Jones (117), Schad, Portwood, Fisher, Dusenberg, Whorton, Ervin, Harris (110), Baker (123), Flook, Sander, Weter, Munzlinger, Bivins, Davis, Smith (150), Ruestman, McGhee, Sater, Robb, Moore and Frame, relating to the defensive use of force.

HB 190, introduced by Representatives Jones (117), Schad, Quinn (7), LeVota, Schneider, Baker (25), Harris (110), Sander and Wright, relating to advanced practice nurses.

HB 191, introduced by Representatives Jones (117), Schad, Portwood, Whorton, Harris (110), Sander, Weter, Komo, Bivins, McGhee and Frame, relating to the telemarketing no-call listing.

HB 192, introduced by Representative Franz, relating to guardians ad litem.

HB 193, introduced by Representatives Threlkeld, Frame, Harris (110), Nieves and Schlottach, relating to allowing a county court in Franklin County.

HB 194, introduced by Representative Guest, relating to the wholesale water and sewer authority act.

HB 195, introduced by Representatives Dusenberg, Baker (123), Sander, McGhee, Sater, Wells and Moore, relating to powers of the Missouri gaming commission.

HB 196, introduced by Representatives Dusenberg, Day, Smith (14), McGhee, Ruestman and Wallace, relating to school officers.

HB 197, introduced by Representative Threlkeld, relating to garnishments.

HB 198, introduced by Representatives Darrough, LeVota, Kuessner and Yaeger, relating to motor vehicle registration notices.

HB 199, introduced by Representative Cunningham (145), relating to involuntary annexation.

HB 200, introduced by Representative Franz, relating to safety belts on church buses.

HB 201, introduced by Representative Franz, relating to controlled substances.

HB 202, introduced by Representatives Franz and Flook, relating to juvenile officer retirement.

HB 203, introduced by Representatives Deeken, Dusenberg, McGhee, Harris (110), Fisher, Bruns, Daus and Moore, relating to the metabolic distribution formula program.

HB 204, introduced by Representatives Whorton, Johnson, Moore, Shively, Deeken, Yaeger, Baker (25), Portwood, Roorda, Dusenbergh and Wildberger, relating to nursing homes.

HB 205, introduced by Representatives Marsh, Wallace and Schneider, relating to the tourism supplemental revenue fund.

HB 206, introduced by Representative Frame, relating to railroads.

HB 207, introduced by Representative Franz, relating to restorative justice programs.

HB 208, introduced by Representatives Schaaf, Cooper (155), Page, Sater, Baker (25) and Moore, relating to regulation of professional licenses.

HB 209, introduced by Representatives Schaaf, Cooper (155), Onder, Page, Wright, Fisher, Whorton, Emery and Meiners, relating to medical professionals.

HB 210, introduced by Representatives Robb and Storch, relating to a tax credit for qualified equity investments.

HB 211, introduced by Representative Jones (117), relating to the POST program.

HB 212, introduced by Representatives Schaaf, Page, Silvey, Munzlinger, Roorda, Scharnhorst, Avery, McGhee, Sander and Schneider, relating to insurance co-payments for prescription drugs.

HB 213, introduced by Representatives Cunningham (86) and Ruestman, relating to intellectual diversity.

HB 214, introduced by Representative Cunningham (86), relating to the teacher choice compensation package.

HB 215, introduced by Representatives Stevenson, Ruestman, Dixon, Cunningham (86), Moore, Fisher, Wallace, Nance, Munzlinger, Day, Sander and Scharnhorst, relating to juvenile courts.

HB 216, introduced by Representatives Stevenson, Dixon, Cunningham (86), Moore, Fisher, Nance, Sander, Scharnhorst, Nolte and Yates, relating to an umbilical cord blood bank program.

HB 217, introduced by Representatives Stevenson, Wilson (130), Ruestman, Moore, Dixon, Cunningham (86), Fisher, Munzlinger, Nolte, Whorton, Portwood, Ervin, Smith (150), Wallace, Nance, Sander, Day and Scharnhorst, relating to income taxation.

HB 218, introduced by Representatives Stevenson and Munzlinger, relating to corporate income tax rates.

HB 219, introduced by Representatives Stevenson, Munzlinger and Nance, relating to annual franchise tax rates.

HB 220, introduced by Representative Stevenson, relating to the Missouri uniform trust code.

HB 221, introduced by Representatives Yates, Cooper (120) and Harris (23), relating to service contracts.

HB 222, introduced by Representatives Schaaf and Denison, relating to medical malpractice insurance.

HB 223, introduced by Representatives Bruns, McGhee, Roorda, Moore and Weter, relating to emergency drought conditions.

HB 224, introduced by Representative Franz, relating to driver's licenses for convicted sex offenders.

HB 225, introduced by Representatives Nance, Munzlinger, Nolte, Fisher and Flook, relating to taxes on annuities, pensions, retirement allowances, and Social Security benefits.

HB 226, introduced by Representatives Nance and Flook, relating to county ordinances regulating pit bull dogs.

HB 227, introduced by Representatives Swinger, Kuessner, Witte, Harris (110), Brown (30), Wright, Tilley, Jetton, Parson and Robinson, relating to a tax credit for storm shelters.

HB 228, introduced by Representatives Thomson and Onder, relating to school safety.

HB 229, introduced by Representative Cunningham (145), relating to compensation for retired patrol officers who testify in court proceedings at least thirty miles from their residences.

HB 230, introduced by Representatives Bruns and Skaggs, relating to public retirement systems.

HB 231, introduced by Representatives Bruns and Skaggs, relating to state employee retirement.

HB 232, introduced by Representatives Bruns and Skaggs, relating to public retirement systems.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 2**.

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-fourth General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem.....Michael R. Gibbons
Secretary of Senate.....Terry L. Spieler

Sergeant-at-Arms.....Bill Smith
Doorkeeper.....Ken Holman

"The National Anthem" was sung by Cindy Kadlec, Director, Joint Committee on Administrative Rules.

BENEDICTION

The benediction was given by Representative Brian Baker.

WITHDRAWAL OF HOUSE BILL

December 19, 2006

TO: Adam Crumbliss, Chief Clerk
FROM: Ron Richard
SUBJECT: House Bill No. 150

I respectfully request **House Bill No. 150** be removed from pre-filing.

Thank you.

/s/ Ron Richard
District 129

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, January 4, 2007.

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 4, 2007

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 3

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 1 through HJR 5

HOUSE BILLS FOR SECOND READING

- 1 HB 26 through HB 90
- 2 HB 92 through HB 149
- 3 HB 151 through HB 168
- 4 HB 170 through HB 232

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 4, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

(Many of us were at the Governor's Prayer Breakfast earlier this morning. The theme was Foundations of Faith.)

Let us pray about foundations for our work during this 94th General Assembly of the Missouri House of Representatives.

Almighty God, we find the foundations of our work here in the virtues inscribed above the columns of this Chamber: KNOWLEDGE, LIBERTY, EQUALITY, LAW, JUSTICE, FRATERNITY, EDUCATION, ENTERPRISE, PROGRESS, HONOR, TRUTH, VIRTUE, CHARITY and TEMPERANCE. These virtues are discussed directly or indirectly in the Christian and Hebrew Scriptures.

We thank You, O God, for inspiring - whether they knew it or not - those who placed them there. Inspire us to look up at them often and treasure them as the foundation beneath our work in this Chamber of the Missouri House of Representatives.

We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: James Withouse, Emma Withouse, Grace Chester, Tim Chester and Ellie Fjellman.

The Journal of the first day was approved as printed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota

Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 002

Lowe 44 Oxford

PRESENT: 000

ABSENT WITH LEAVE: 004

Donnelly Haywood Johnson Storch

OATHS OF OFFICE PENDING: 002

Brown 30 Schneider

HOUSE RESOLUTIONS

Representative Dempsey offered House Resolution No. 15.

HOUSE RESOLUTION NO. 15

RULES OF THE HOUSE OF REPRESENTATIVES 94TH GENERAL ASSEMBLY

TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term "constitutional majority", as used herein, shall mean eighty-two members of the House.

ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:

- (i) Reading and approval of the Journal of the previous day's session.
- (ii) Introduction and first reading of House Joint Resolutions.
- (iii) Introduction and first reading of House Bills.
- (iv) Second reading of House Bills and Joint Resolutions.
- (v) Reports of standing committees.
- (vi) Reports of special committees.
- (vii) Bills, reports and other business on the table.
- (viii) House Joint Resolutions to be perfected and printed.
- (ix) House Bills to be perfected and printed.
- (x) Third reading of House Joint Resolutions.
- (xi) Third reading of House Bills.
- (xii) Messages from the Senate.
- (xiii) First reading of Senate Joint Resolutions and Senate Bills.
- (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
- (xv) Third reading of Senate Joint Resolutions.
- (xvi) Third reading of Senate Bills.
- (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
- (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
- (xix) Such other orders of business as deemed necessary pursuant to law.

HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (I) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

ELECTION OF OFFICERS GENERALLY

Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

Parliamentary Rulings;
Referral to Parliamentary Committee

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place.

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device.

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each committee

shall be appointed by the Minority Floor Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said committee. The membership of all standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special committees as he/she deems necessary. Any special committee shall have the authority and duties of a standing committee if so designated by the Speaker. The Speaker may dissolve and/or discharge the members of any conference, interim, or special committee at any time and reappoint the members thereof.

Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

Standing Committees Enumerated

Rule 24. The standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy.
3. Appropriations - Agriculture and Natural Resources.
4. Appropriations - Education.
5. Appropriations - General Administration.
6. Appropriations - Health, Mental Health and Social Services.
7. Appropriations - Public Safety and Corrections.
8. Appropriations - Transportation and Economic Development.
9. Budget.
10. Children and Families.
11. Conservation and Natural Resources.
12. Corrections and Public Institutions.
13. Crime Prevention and Public Safety.
14. Elections.
15. Elementary and Secondary Education.
16. Financial Institutions.
17. Fiscal Review.
18. Health Care Policy.
19. Higher Education.
20. Insurance Policy.
21. Job Creation and Economic Development.
22. Judiciary.
23. Local Government.
24. Professional Registration and Licensing.
25. Retirement.
26. Rules.
27. Senior Citizen Advocacy.
28. Small Business.
29. Tourism.
30. Transportation.
31. Utilities.
32. Veterans.
33. Ways and Means.

34. Workforce Development and Workplace Safety.

Duties of the Standing Committees

Rule 25. (1) *Administration and Accounts.*

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members, according to seniority within each respective party caucus, except that no member shall be forced to give up his/her offices, chamber seat or parking space that he/she currently occupies unless such office, chamber seat or parking space is re-assigned by the committee to the members of the opposite party. Notwithstanding any provision of this rule to the contrary, the committee may make assignments to House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture and agri-business in this state.

(3) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(4) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(5) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, the Judiciary and the Public Defender.

(6) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(7) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

(8) *The Committee on Appropriations - Transportation and Economic Development.* The Committee on Appropriations - Transportation and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, the Department of Insurance and the Department of Labor and Industrial Relations.

(9) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

(10) *The Committee on Children and Families.* The Committee on Children and Families may consider and report upon bills and matters referred to it relating to the health, well-being and security of children and families. The Committee may also consider and report upon bills and matters referred to it relating to social services and housing.

(11) *The Committee on Conservation and Natural Resources.* The Committee on Conservation and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources, environment and mining.

(12) *The Committee on Corrections and Public Institutions.* The Committee on Corrections and Public Institutions may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, the state penitentiary, state hospitals, charitable institutions, and other state properties.

(13) *The Committee on Crime Prevention and Public Safety.* The Committee on Crime Prevention and Public Safety may consider and report upon bills and matters referred to it relating to criminal laws, public safety and law enforcement matters.

(14) *The Committee on Elections.* The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

(15) *The Committee on Elementary and Secondary Education.* The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

(16) *The Committee on Financial Institutions.* The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions and other financial institutions

(17) *The Committee on Fiscal Review.* The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to

increase net expenditures or reduce net revenues shall, upon timely motion to recommit, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

(18) *The Committee on Health Care Policy.* The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

(19) *The Committee on Higher Education.* The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

(20) *The Committee on Insurance Policy.* The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

(21) *The Committee on Job Creation and Economic Development.* The Committee on Job Creation and Economic Development may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion, and development and the creation and retention of jobs.

(22) *The Committee on Judiciary.* The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

(23) *The Committee on Local Government.* The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

(24) *The Committee on Professional Registration and Licensing.* The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to the regulation of professions and occupations and relating to boards, bureaus and commissions that examine the qualifications of persons engaged in certain professions and occupations and the duties of such agencies and the persons registered by them. The committee may also consider and report upon bills and matters referred to it relating to consumer protection issues.

(25) *The Committee on Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees.

(26) *The Committee on Rules.*

(a) *Duties generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number and sponsor. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds (2/3) of the standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules

Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Standing Committees.*

1. Whenever a standing committee reports a bill with a recommendation that it "Do Pass" or "Without Recommendation", the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill "Do Pass" to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill "Do Pass" to the House with a limitation on the time of debate.
- c. Send the bill back to the originating committee.

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill "Do Pass".

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Consent", the Rules Committee shall review the bill for the purpose of determining whether or not it should have "consent" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Consent" calendar. When the Committee on Rules declines to place the bill on the appropriate "Consent" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "consent" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Consent".

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Federal Mandate", the Committee on Rules shall review the bill for the purpose of determining whether or not it should have "federal mandate" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Federal Mandate" calendar. When the Committee on Rules declines to place the bill on the appropriate "Federal Mandate" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "federal mandate" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Federal Mandate".

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a standing committee has reported a bill "Do Pass" with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(27) *The Committee on Senior Citizen Advocacy.* The Committee on Senior Citizen Advocacy may consider and report upon bills and matters referred to it relating to the security and health of the senior citizens of the State, including matters relating to their care and housing, and the providers of those services.

(28) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention and operations of small businesses in the State.

(29) *The Committee on Tourism.* The Committee on Tourism may consider and report upon bills and matters referred to it relating to the development and promotion of travel, tourism, recreation, the arts and cultural affairs.

(30) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

(31) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

(32) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

(33) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

(34) *The Committee on Workforce Development and Workplace Safety.* The Committee on Workforce Development and Workplace Safety may consider and report upon bills and matters referred to it relating to Workers' Compensation, Employment Security and the departments administering each of these, and on matters referred to it relating to the conditions and interest of labor.

Duties of Committee Chair; Committee Organization

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each general assembly.

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chair shall report said bill back to the House "Do Not Pass" unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider.

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be called by the chair or secretary of a committee at each meeting.

Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the standing Committee on Elections or a special committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee
Complaints of Ethical Misconduct

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth
New and Old Material

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type

when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills.* The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

Timing for Placement on Calendar Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "do pass" or "without recommendation", it shall go upon the calendar of the House. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "do pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported "do pass" by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "do not pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Bills Laid Over Informally

Rule 41. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 42. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule

Rule 43. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

Consent Calendar

Rule 44. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or contains penalty provisions, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Referring Senate Consent Bills to Committee.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

AMENDMENTS AND SUBSTITUTES

Rule 45. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been placed on the members' desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment shall be read in its entirety by the clerk unless

it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill or amendment may be withdrawn by the sponsor before amendment or decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(f) *Appropriations Bills.* 1. No amendment to the first 12 appropriations bills of the state budget constituting the operating budget of the state shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills as reported from the Committee on Budget. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in any other of the twelve bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the first 12 House appropriations bills of the state budget constituting the operating budget of the state only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Committee Substitute of the state budget constituting the operating budget of the state shall be adopted until all amendments to the first 12 House appropriations bills or substitutes have been disposed of.

Committee Substitute Printed

Rule 46. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

Order of Amendments

Rule 47. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If a House Committee Substitute is not offered or adopted, the original House Bill is next voted upon, after opportunity for amendment.

Amendments Incorporated In Bill

Rule 48. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 49. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage

Rule 50. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority To Perfect

Rule 51. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection; Perfecting Amendments

Rule 52. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Passage

Rule 53. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Course After Passage

Rule 54. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

Perfecting Amendments on Bills Returned From the Senate

Rule 55. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports

Rule 56. (a) *Signatures on a Conference Report.* All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) *Review for Correctness.* Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) *Notice Requirements.* No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) *Exceeding the Differences.* Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions

Rule 57. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent Resolutions of Congress

Rule 58. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

Reference of Resolutions, etc.

Stand Referred

Rule 59. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full.

SENATE BILLS

Referral

Rule 60. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 61. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "Do Pass", or "Without Recommendation", it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it "Do Pass", or "Without Recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported "Do Not Pass"

Rule 62. If a Senate Bill is reported from the committee to which referred with the recommendation that it "Do Not Pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 63. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 64. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 65. When a motion is made it shall be stated by the Chair or read aloud by the Clerk before being debated.

When In Possession of the House

Rule 66. When a motion is stated by the Speaker or read by the Clerk it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 67. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 68. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged

Rule 69. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory

Rule 70. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

Privileged Motions In Order - When

Rule 71. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 69 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

Previous Question

Rule 72. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable

Rule 73. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

Division of Questions

Rule 74. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill.

Indefinite Postponement

Rule 75. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on the Table - How Taken Up

Rule 76. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

Motion to Recommit to Committee

Rule 77. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee, which shall be sustained if a majority of the members present vote in the affirmative.

Motion to Reconsider -
Must Be Made Within Three Days

Rule 78. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 79. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 80. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker". The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 81. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 82. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 83. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25(26).

No Member Shall Name Another Member in Debate

Rule 84. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 85. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 86. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 87. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 69.

Voting

Rule 88. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll
Members Not to Interrupt Calling of Ayes and Noes;
Changing Vote

Rule 89. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 90. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 91. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 92. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion

of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

Dress Code

Rule 93. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 94. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries, except that members may smoke in the East Gallery.

Electronic Devices

Rule 95. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 96. No person shall ascend to the dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 97. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.

Bills - Pre-Filing

Rule 98. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

Interim Committees

Rule 99. All standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the standing committee, to act in place of the standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

CALL OF THE HOUSE

Names of Absentees to Be Called

Rule 100. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For

Rule 101. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Voting In Progress

Rule 102. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

Majority Not Under Arrest May Censure And Fine
Delinquent Members

Rule 103. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 104. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 105. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 106. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 107. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must Be Incorporated in Original Motion

Rule 108. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 109. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 110. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 111. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 112. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

Admission to House Floor

Rule 113. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery

Rule 114. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of

the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery

Rule 115. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the press having valid credentials issued by the Speaker. All other upper galleries shall be open to the public.

RULES

May Be Rescinded or Amended - How

Rule 116. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

May Be Dispensed With

Rule 117. Rules 69, 78 and 79 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

JEFFERSON'S MANUAL

Rule 118. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

Representatives Bowman and Walton offered House Resolution No. 17.

Representative Bivins offered House Resolution No. 21.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 16

House Resolution No. 18 through House Resolution No. 20

House Resolution No. 22 through House Resolution No. 29

HOUSE CONCURRENT RESOLUTION

Representative Burnett, et al., offered House Concurrent Resolution No. 5.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 1 through **HJR 5** were read the second time.

SECOND READING OF HOUSE BILLS

HB 26 through **HB 90**, **HB 92** through **HB 149**, **HB 151** through **HB 168** and **HB 170** through **HB 232** were read the second time.

COMMITTEE ASSIGNMENTS

January 4, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Kenny Jones as Chairman of the Administration and Accounts Committee in the Missouri House of Representatives.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 4, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Rules Committee in the Missouri House of Representatives:

Representative Shannon Cooper, Chairman
Representative Tom Dempsey, Vice Chair

Representative Carl Bearden
Representative Mike Parson
Representative Ron Richard

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 15 - Rules

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 6, introduced by Representatives Bruns, Fisher, Schaaf, McGhee, Dusenberg, Page, Sander, Sater and Wilson (130), relating to recognition of autism awareness day and autism awareness month.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 6, introduced by Representatives Bruns, Fisher, Schaaf, Scharnhorst, Day, McGhee, Dusenberg, Page, Sander, Wilson (130), Moore, Wells, Emery and Bivins, relating to exemption of personal property for active duty military personnel.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 233, introduced by Representative Tilley, relating to the practice of chiropractic.

HB 234, introduced by Representative Tilley, relating to a sales tax for community programs.

HB 235, introduced by Representative Burnett, to authorize the conveyance of certain property to the city of Kansas City.

HB 236, introduced by Representatives Burnett, Whorton and Wildberger, relating to reinstatement of drivers' licenses.

HB 237, introduced by Representatives Burnett, Baker (25), Harris (23), Oxford, Yaeger, Wildberger, Darrough and Hughes, relating to payday loans.

HB 238, introduced by Representative Yates, relating to the regulation of captive insurance companies.

HB 239, introduced by Representatives Bruns, Fisher, Schaaf, Scharnhorst, Day, McGhee, Wright, Dethrow, Ruestman, Whorton, Sander, Sater, Wilson (130), Moore, Wells, Emery and Bivins, relating to income taxation.

HB 240, introduced by Representatives Bruns, Fisher, Schaaf, McGhee, Ruestman, Portwood and Wildberger, relating to the amber alert system.

HB 241, introduced by Representatives Bruns, Fisher, Schaaf, McGhee, Dusenberg, Ruestman, Sander, Wilson (130), Wells and Bivins, relating to price gouging during emergencies.

HB 242, introduced by Representatives Bruns, Fisher, Schaaf, Scharnhorst, McGhee, Dusenberg, Page, Sater and Wilson (130), relating to the designation of autism awareness day and month in Missouri.

HB 243, introduced by Representatives Wells, Denison, Pollock, Schad, Sander, Dixon, Schneider, McGhee, Ruestman, Weter, Baker (123), Kraus, Nolte, Dusenberg and Bivins, relating to income taxation.

HB 244, introduced by Representatives Wells, Franz, Denison, Pollock and Weter, relating to noxious weed designations.

HB 245, introduced by Representatives St. Onge, Avery, Fisher, Davis, Ruestman, Nance, Meadows, McGhee, Wilson (130), Wallace, Nolte, Emery, Dusenberg, Wilson (119), Schad, Sater, Nieves and Robb, relating to commercial driver's licenses.

HB 246, introduced by Representatives St. Onge, Nance, Yaeger and Robb, relating to passing zones.

HB 247, introduced by Representatives St. Onge and Yaeger, relating to motor fuel tax exemptions.

HB 248, introduced by Representatives St. Onge, Bivins, Parson, Wilson (119), Yaeger and Robb, relating to a sales tax exemption for highway construction materials.

HB 249, introduced by Representatives Moore, Walton, Sander, Wildberger, Sater, Dusenberg, Self and Emery, relating to educational services for elementary and secondary students.

HB 250, introduced by Representatives Robb, Zweifel, Storch, Scharnhorst, Bivins, Moore, Sater, Grill and Marsh, relating to higher education funding.

HB 251, introduced by Representative Robb, relating to industrial development.

HB 252, introduced by Representatives Robb, McGhee, Storch, Moore and Sater, relating to radioactive waste.

HB 253, introduced by Representatives Deeken and Lipke, relating to animal neglect.

HB 254, introduced by Representative Bringer, relating to obstruction of justice.

HB 255, introduced by Representative Bruns, relating to the office of administration.

HB 256, introduced by Representative Threlkeld, relating to insurance contracts.

HB 257, introduced by Representatives Flook, Moore, Scharnhorst, Schad, Bivins and Deeken, relating to juvenile officer retirement.

WITHDRAWAL OF HOUSE BILL

January 3, 2007

Mr. Adam Crumbliss, Chief Clerk
House of Representatives
State of Missouri
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Please accept this as my request to withdraw **House Bill No. 91** that was submitted in December regarding the A+ Program. I am resubmitting it with minor changes.

Thank you for your assistance.

Sincerely,

/s/ Vicki A. Schneider
State Representative
17th District

The following member's presence was noted: Haywood.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, January 8, 2007.

COMMITTEE MEETING

RULES

Tuesday, January 9, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 8, 2007

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 6

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 6

HOUSE BILLS FOR SECOND READING

HB 233 through HB 257

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 8, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

The LORD is our rock, and our fortress, and our deliverer; in Him will we trust: He is our shield, and the horn of our salvation, our high tower, and our refuge, our savior; You save us from violence. We call on You LORD, for You are worthy to be praised.

When waves of impending decisions come at us, floods of requests from all directions; when frustration, envy, and anger knock at our door, we wisely call upon You LORD and You hear our voice and grant us peace, insight and wisdom.

Though we have a noble calling and aspire to do great things on behalf of our constituents, we sometimes fall short. Help us to start well and finish well - with our integrity intact.

Keep Your servants also from the sin of pride and arrogance. Let it not have dominion over us. Then shall we do what is right and be free from manipulation, pressure and the fear of man.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the second day was approved as printed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger

Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Daus Flook

PRESENT: 002

Darrough Lowe 44

ABSENT WITH LEAVE: 004

Faith Liese Sander Stevenson

OATH OF OFFICE PENDING: 002

Brown 30 Schneider

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 30 through House Resolution No. 57

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 6 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 6 was read the second time.

SECOND READING OF HOUSE BILLS

HB 233 through **HB 257** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 7, introduced by Representatives Nieves, Deeken, Yates, Ervin, Nolte, Wildberger, Day, Fisher, Smith (14), Davis, Richard, Sander, Denison, Quinn (7), Scharnhorst, Wilson (130), Nance, Loehner, Dusenberg, May, McGhee, Sater, Ruestman, Smith (150), Wilson (119), Muschany, Avery, Dixon, Moore, Schad, Lembke, Robb, Kraus, Ruzicka, Onder, Stream, Hunter, Pearce, Dethrow, Cooper (155), Funderburk, Bearden, Schoeller, Self, Tilley, Schlottach, Munzlinger and Bruns, relating to English as the official state language.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 258, introduced by Representatives Hubbard, Chappelle-Nadal, Page, El-Amin, Daus, Low (39), Harris (110), Johnson and Hoskins, relating to the death penalty.

HB 259, introduced by Representatives Hubbard and El-Amin, relating to the Missouri 4 For More Program.

HB 260, introduced by Representatives Hubbard and El-Amin, relating to the hiring of law enforcement officers by private colleges and universities.

HB 261, introduced by Representatives Yates and Pratt, relating to limitations of asbestos liabilities.

HB 262, introduced by Representatives Nieves, Deeken, Yates, Ervin, Nolte, Wildberger, Day, Fisher, Smith (14), Davis, Emery, Richard, Sander, Denison, Quinn (7), Scharnhorst, Wilson (130), Nance, Loehner, Dusenberg, May, McGhee, Sater, Ruestman, Smith (150), Wilson (119), Muschany, Avery, Dixon, Moore, Schad, Lembke, Robb, Kraus, Ruzicka, Onder, Stream, Hunter, Dethrow, Cooper (155), Pearce, Funderburk, Bearden, Schoeller, Self, Tilley, Schlottach, Munzlinger and Bruns, relating to the official state language.

HB 263, introduced by Representatives Nieves, Deeken, Yates, Ervin, Nolte, Wildberger, Day, Fisher, Smith (14), Davis, Richard, Sander, Denison, Quinn (7), Scharnhorst, Wilson (130), Nance, Loehner, Dusenberg, May, McGhee, Sater, Ruestman, Smith (150), Wilson (119), Muschany, Avery, Dixon, Moore, Schad, Lembke, Robb, Kraus, Ruzicka, Onder, Stream, Hunter, Dethrow, Cooper (155), Pearce, Funderburk, Bearden, Schoeller, Self, Tilley, Schlottach, Munzlinger and Bruns, relating to the official state language.

HB 264, introduced by Representative Cunningham (86), relating to the state public school fund.

HB 265, introduced by Representative Cunningham (86), relating to special education due process hearings.

HB 266, introduced by Representatives Whorton, Wallace and Moore, relating to an income tax credit for donations to certain cemeteries.

HB 267, introduced by Representatives Jones (117) and Cunningham (86), relating to special education due process hearings.

HB 268, introduced by Representatives Moore and Bivins, to authorize the conveyance of property owned by the state in Callaway County to the City of Fulton.

HB 269, introduced by Representatives Nolte, Emery, Ruestman, Ervin, Fisher, McGhee, Sater, Nance, Dusenberger, Denison, Robb and Moore, relating to prohibiting the admission of aliens unlawfully present in the United States at public institutions of higher education.

HB 270, introduced by Representative Nolte, relating to property assessments.

HB 271, introduced by Representative Nolte, relating to transient guest taxes.

HB 272, introduced by Representative Viebrock, relating to the designation of the official state reptile.

HB 273, introduced by Representative Viebrock, relating to the designation of a memorial bridge.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, January 9, 2007.

Representative-elect Vicki Schneider subscribed to the oath of office, which was administered at 4:23 p.m. by the Honorable Rod Jetton, Speaker of the House of Representatives.

The following member's presence was noted: Schneider.

COMMITTEE MEETING

RULES

Tuesday, January 9, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 9, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 7

HOUSE BILLS FOR SECOND READING

HB 258 through HB 273

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FOURTH DAY, TUESDAY, JANUARY 9, 2007

Representative-elect Jason Brown subscribed to the oath of office, which was administered at 9:35 a.m. by the Honorable Rod Jetton, Speaker of the House of Representatives.

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Monsignor Gregory Higley, Vicar General, Diocese of Jefferson City.

Father of all, we begin this day pausing to give praise and thanks to You for all Your goodness to us. A goodness that manifests itself in Your beautiful creation surrounding us, in the people You send our way, in the care and concern we show one another.

May Your spirit guide our discussions and deliberations this day, as always, so that we can be dedicated to the welfare of all citizens of our State, especially the most vulnerable and most needy. This prayer we raise up to You from the deepest recesses of our hearts, trusting in Your divine mercy which lasts forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the third day was approved as printed by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer

Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 010

Burnett	Daus	Donnelly	Harris 23	Holsman
Hughes	LeVota	Lowe 44	Skaggs	Walsh

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 004

Bowman	Brown 30	Faith	Liese
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HOUSE RESOLUTIONS

Representative Schaaf, et al., offered House Resolution No. 65.

Representative Storch offered House Resolution No. 68.

Representative Tilley offered House Resolution No. 75.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 58 through House Resolution No. 64

House Resolution No. 66 and House Resolution No. 67

House Resolution No. 69 through House Resolution No. 74

House Resolution No. 76 through House Resolution No. 80

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 7 was read the second time.

SECOND READING OF HOUSE BILLS

HB 258 through **HB 273** were read the second time.

COMMITTEE REPORT

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 15**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE RESOLUTION NO. 15

RULES OF THE HOUSE OF REPRESENTATIVES 94TH GENERAL ASSEMBLY

TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term "constitutional majority", as used herein, shall mean eighty-two members of the House.

ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:
 - (i) Reading and approval of the Journal of the previous day's session.
 - (ii) Introduction and first reading of House Joint Resolutions.
 - (iii) Introduction and first reading of House Bills.
 - (iv) Second reading of House Bills and Joint Resolutions.
 - (v) Reports of standing committees.
 - (vi) Reports of special committees.
 - (vii) Bills, reports and other business on the table.
 - (viii) House Joint Resolutions to be perfected and printed.
 - (ix) House Bills to be perfected and printed.
 - (x) Third reading of House Joint Resolutions.
 - (xi) Third reading of House Bills.
 - (xii) Messages from the Senate.
 - (xiii) First reading of Senate Joint Resolutions and Senate Bills.
 - (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
 - (xv) Third reading of Senate Joint Resolutions.
 - (xvi) Third reading of Senate Bills.
 - (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
 - (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
 - (xix) Such other orders of business as deemed necessary pursuant to law.

HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.

- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

ELECTION OF OFFICERS GENERALLY

Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

Parliamentary Rulings; Referral to Parliamentary Committee

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place. **It shall be at the Speaker's discretion whether members may speak on points of order.**

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device. **The Speaker may require a recorded roll call on any motion.**

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each **standing** committee shall be appointed by the Minority Floor Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said committee. The membership of all standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special committees as he/she deems necessary. Any special committee shall have the authority and duties of a standing committee if so designated by the Speaker. The Speaker may dissolve and/or discharge the members of any conference, interim, or special committee at any time and reappoint the members thereof.

Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

Standing Committees Enumerated

Rule 24. The standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy.
3. Appropriations - Agriculture and Natural Resources.
4. Appropriations - Education.
5. Appropriations - General Administration.
6. Appropriations - Health, Mental Health and Social Services.

7. Appropriations - Public Safety and Corrections.
8. Appropriations - Transportation and Economic Development.
9. Budget.
10. [Children and Families.
- 11.] Conservation and Natural Resources.
- [12.] **11.** Corrections and Public Institutions.
- [13.] **12.** Crime Prevention and Public Safety.
- [14.] **13.** Elections.
- [15.] **14.** Elementary and Secondary Education.
- [16. Financial Institutions.
- 17.] **15.** Fiscal Review.
- [18.] **16.** Health Care Policy.
- [19.] **17.** Higher Education.
- [20.] **18.** Insurance Policy.
- [21. Job Creation and Economic Development.
- 22.] **19.** Judiciary.
- [23.] **20.** Local Government.
- [24. Professional Registration and Licensing.
25. Retirement.
- 26.] **21.** Rules.
- [27. Senior Citizen Advocacy.
28. Small Business.
29. Tourism.
- 30.] **22.** Transportation.
- [31. Utilities.
32. Veterans.
- 33.] **23.** Ways and Means.
- [34. Workforce Development and Workplace Safety.]

Duties of the Standing Committees

Rule 25. (1) *Administration and Accounts.*

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members[, according to seniority within each respective party caucus, except that no member shall be forced to give up his/her offices, chamber seat or parking space that he/she currently occupies unless such office, chamber seat or parking space is re-assigned by the committee to the members of the opposite party. Notwithstanding any provision of this rule to the contrary, the committee may make assignments to] . **The committee may make assignments to the party caucuses for those caucuses to assign to their respective members. The House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members, shall have priority with respect to such assignments within their respective caucuses.**

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records

for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture and agri-business in this state.

(3) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(4) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(5) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, the Judiciary and the Public Defender.

(6) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(7) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

(8) *The Committee on Appropriations - Transportation and Economic Development.* The Committee on Appropriations - Transportation and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, the Department of Insurance and the Department of Labor and Industrial Relations.

(9) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

[(10) *The Committee on Children and Families.* The Committee on Children and Families may consider and report upon bills and matters referred to it relating to the health, well-being and security of children and families. The Committee may also consider and report upon bills and matters referred to it relating to social services and housing.

[(11)] **(10)** *The Committee on Conservation and Natural Resources.* The Committee on Conservation and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources, environment and mining.

[(12)] **(11)** *The Committee on Corrections and Public Institutions.* The Committee on Corrections and Public Institutions may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, the state penitentiary, state hospitals, charitable institutions, and other state properties.

[(13)] **(12)** *The Committee on Crime Prevention and Public Safety.* The Committee on Crime Prevention and Public Safety may consider and report upon bills and matters referred to it relating to criminal laws, public safety and law enforcement matters.

[(14)] **(13)** *The Committee on Elections.* The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

[(15)] **(14)** *The Committee on Elementary and Secondary Education.* The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

[(16)] *The Committee on Financial Institutions.* The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions and other financial institutions

[(17)] **(15)** *The Committee on Fiscal Review.* The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion [to recommit] **adopted by the members**, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

[(18)] **(16)** *The Committee on Health Care Policy.* The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

[(19)] **(17)** *The Committee on Higher Education.* The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

[(20)] **(18)** *The Committee on Insurance Policy.* The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

[(21)] *The Committee on Job Creation and Economic Development.* The Committee on Job Creation and Economic Development may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion, and development and the creation and retention of jobs.

[(22)] **(19)** *The Committee on Judiciary.* The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

[(23)] (20) *The Committee on Local Government.* The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

[(24) *The Committee on Professional Registration and Licensing.* The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to the regulation of professions and occupations and relating to boards, bureaus and commissions that examine the qualifications of persons engaged in certain professions and occupations and the duties of such agencies and the persons registered by them. The committee may also consider and report upon bills and matters referred to it relating to consumer protection issues.

(25) *The Committee on Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees.

(26)] (21) *The Committee on Rules.*

(a) *Duties generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number and sponsor. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds (2/3) of the standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Standing Committees.*

1. Whenever a [standing] committee reports a bill with a recommendation that it "Do Pass" or "Without Recommendation", the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill "Do Pass" to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill "Do Pass" to the House with a limitation on the time of debate.
- c. Send the bill back to the originating committee.

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill "Do Pass".

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Consent", the Rules Committee shall review the bill for the purpose of determining whether or not it should have "consent" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill

on the appropriate "Consent" calendar. When the Committee on Rules declines to place the bill on the appropriate "Consent" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "consent" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Consent".

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Federal Mandate", the Committee on Rules shall review the bill for the purpose of determining whether or not it should have "federal mandate" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Federal Mandate" calendar. When the Committee on Rules declines to place the bill on the appropriate "Federal Mandate" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "federal mandate" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Federal Mandate".

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a [standing] committee has reported a bill "Do Pass" with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(h) If the Committee on Rules is the original committee to which a bill is referred, when the Committee reports such bill "Do Pass" or "Without Recommendation", such bill shall not be subject to the automatic referral referenced in Rule 25(21)(f).1 above. However, in reporting such bill, the Committee on Rules may take any action on such bill as though the bill were referred to it after a "Do Pass" or "Without Recommendation" report from another committee.

[(27) *The Committee on Senior Citizen Advocacy.* The Committee on Senior Citizen Advocacy may consider and report upon bills and matters referred to it relating to the security and health of the senior citizens of the State, including matters relating to their care and housing, and the providers of those services.

(28) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention and operations of small businesses in the State.

(29) *The Committee on Tourism.* The Committee on Tourism may consider and report upon bills and matters referred to it relating to the development and promotion of travel, tourism, recreation, the arts and cultural affairs.

(30)] (22) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

[(31) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

(32) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

(33)] (23) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

[(34) *The Committee on Workforce Development and Workplace Safety.* The Committee on Workforce Development and Workplace Safety may consider and report upon bills and matters referred to it relating to Workers' Compensation, Employment Security and the departments administering each of these, and on matters referred to it relating to the conditions and interest of labor.]

Duties of Committee Chair;
Committee Organization

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each **session of the general assembly and shall submit the same to the Secretary of State prior to the next regular session.**

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chair shall report said bill back to the House "Do Not Pass" unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider.

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be [called] **recorded** by the chair or secretary of a committee at each meeting.

Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the standing Committee on Elections or a special committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee
Complaints of Ethical Misconduct

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call. **When a motion to proceed to conduct an investigation fails on a recorded vote, the complaint shall be immediately dismissed.**

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth
New and Old Material

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills*. The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

Timing for Placement on Calendar
Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "Do Pass" or "Without Recommendation", it shall go upon the calendar of the House. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "Do Pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported "Do Pass" by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "Do Not Pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Bills Laid Over Informally

Rule 41. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 42. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule

Rule 43. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

Consent Calendar

Rule 44. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or

contains penalty provisions, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for [Referring] Placing Senate Consent Bills [to Committee] on the Calendar.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

AMENDMENTS AND SUBSTITUTES

Rule 45. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been placed on the members' desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration. **Any amendment to the amendment or substitute amendment that exceeds two 8 ½" x 11" pages in length shall be distributed prior to the time it is offered.**

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill or amendment may be withdrawn by the sponsor before amendment or decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(f) *Appropriations Bills.* 1. No amendment to the first 12 appropriations bills of the state budget constituting the operating budget of the state shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills as reported from the Committee on Budget. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in any other of the twelve bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the first 12 House appropriations bills of the state budget constituting the operating budget of the state only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No **House Bill** or House Committee Substitute of the state budget constituting the operating budget of the state shall be adopted until all **properly offered** amendments to the first 12 House appropriations bills or substitutes have been disposed of.

Committee Substitute Printed

Rule 46. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

Order of Amendments

Rule 47. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If a House Committee Substitute is not offered or adopted, the original House Bill is next voted upon, after opportunity for amendment.

Amendments Incorporated In Bill

Rule 48. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 49. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage

Rule 50. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority To Perfect

Rule 51. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection;
Perfecting Amendments

Rule 52. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Passage

Rule 53. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Course After Passage

Rule 54. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

Perfecting Amendments on Bills Returned From the Senate

Rule 55. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports

Rule 56. (a) Signatures on a Conference Report. All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) Review for Correctness. Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) Notice Requirements. No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) Exceeding the Differences. Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions

Rule 57. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent Resolutions of Congress

Rule 58. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

Reference of Resolutions, etc.
Stand Referred

Rule 59. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full.

SENATE BILLS

Referral

Rule 60. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 61. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "Do Pass", or "Without Recommendation", it shall stand automatically referred to the Committee on Rules. When a

Senate Bill is reported from the Committee on Rules with the recommendation that it "Do Pass", or "Without Recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported "Do Not Pass"

Rule 62. If a Senate Bill is reported from the committee to which referred with the recommendation that it "Do Not Pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 63. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 64. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 65. When a motion is made it shall be stated by the Chair or read aloud by the Clerk before being debated.

When In Possession of the House

Rule 66. When a motion is stated by the Speaker or read by the Clerk it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 67. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 68. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged

Rule 69. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory

Rule 70. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

Privileged Motions In Order - When

Rule 71. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 69 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

Previous Question

Rule 72. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable

Rule 73. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

Division of Questions

Rule 74. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill. **No House Bill for Third Reading shall be subject to a request for a division of the question.**

Indefinite Postponement

Rule 75. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on the Table - How Taken Up

Rule 76. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

Motion to Recommit to Committee

Rule 77. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee, which shall be sustained if a majority of the members present vote in the affirmative.

Motion to Reconsider - Must Be Made Within Three Days

Rule 78. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 79. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon

the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 80. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker". The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality **and derogatory personal comments**. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 81. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 82. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 83. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25(26).

No Member Shall Name Another Member in Debate

Rule 84. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 85. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 86. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 87. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 69.

Voting

Rule 88. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded. **In addition to any other penalty provided by rule or law, the filing of a false affidavit shall subject that member to censure by the House.**

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll

Members Not to Interrupt Calling of Ayes and Noes;
Changing Vote

Rule 89. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 90. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 91. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 92. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

Dress Code

Rule 93. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 94. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries, except that members may smoke in the East Gallery.

Electronic Devices

Rule 95. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 96. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 97. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.

Bills - Pre-Filing

Rule 98. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

Interim Committees

Rule 99. All standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker

may appoint a subcommittee, made up of members of the standing committee, to act in place of the standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

CALL OF THE HOUSE

Names of Absentees to Be Called

Rule 100. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For

Rule 101. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Voting In Progress

Rule 102. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

Majority Not Under Arrest May Censure And Fine Delinquent Members

Rule 103. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 104. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 105. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 106. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 107. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must Be
Incorporated in Original Motion

Rule 108. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 109. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 110. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 111. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 112. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

Admission to House Floor

Rule 113. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery

Rule 114. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery

Rule 115. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the press having valid credentials issued by the Speaker. All other upper galleries shall be open to the public.

RULES

May Be Rescinded or Amended - How

Rule 116. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

May Be Dispensed With

Rule 117. Rules 69, 78 and 79 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

JEFFERSON'S MANUAL

Rule 118. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 169, introduced by Representatives Brown (30), Dusenberg, Fisher, Roorda, Day and Avery, relating to special military license plates.

HB 274, introduced by Representatives Robinson, Rucker, Fallert, Hodges and Aull, relating to grave markers.

HB 275, introduced by Representatives Robinson, Rucker, Hodges, Donnelly, Aull and Storch, relating to law enforcement's written notice to abused party.

HB 276, introduced by Representative Robinson, to authorize the conveyance of property owned by the state in St. Francois County to the city of Park Hills.

HB 277, introduced by Representatives Roorda, Meadows, Wildberger, Casey, Holsman and Komo, relating to corrections officer and jailer training.

HB 278, introduced by Representatives Roorda, Meadows, Sater, Frame, Wildberger, Casey and Komo, relating to health care professional peer review committees.

HB 279, introduced by Representatives Roorda, Frame, Casey and Meadows, relating to county planning and zoning.

HB 280, introduced by Representatives Roorda and Meadows, relating to the board of directors of a central dispatching service for emergency services.

HB 281, introduced by Representatives Roorda, Meadows, Wildberger and Casey, relating to hazardous materials.

HB 282, introduced by Representatives Roorda, Meadows, Wildberger and Casey, relating to motorcycle stunt driving.

HB 283, introduced by Representatives Roorda, Meadows, Frame and Wildberger, relating to neighborhood improvement districts.

HB 284, introduced by Representatives Roorda, Meadows, Frame, Wildberger and Casey, relating to the Missouri urban pursuit reduction grant.

HB 285, introduced by Representatives Roorda, Meadows, Harris (23), Wildberger, Casey and Komo, relating to solvents.

HB 286, introduced by Representatives Roorda, Sater, Frame, Wildberger, Casey and Komo, relating to noise ordinances.

HB 287, introduced by Representatives Roorda, Page, Wildberger, Casey, Holsman and Komo, relating to fire protection district consolidation.

HB 288, introduced by Representatives Roorda, Meadows, Frame and Wildberger, relating to the right to petition for a trial de novo.

HB 289, introduced by Representatives Roorda, Page, Harris (110), Wildberger, Casey and Holsman, relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

HB 290, introduced by Representatives Roorda, Meadows, Frame, Wildberger, Casey, Holsman, Komo and Grill, relating to property damage of a motor vehicle.

HB 291, introduced by Representatives Roorda, Meadows, Chappelle-Nadal, Komo, Frame, Wildberger, Casey and Grill, relating to small businesses.

HB 292, introduced by Representatives Roorda, Baker (25), Wildberger, Casey and Grill, relating to altering or falsifying drug or alcohol tests or test results.

HB 293, introduced by Representatives Roorda, Meadows, Baker (25), Cunningham (86), Sater, Wildberger, Casey, Holsman, Komo and Grill, relating to the sale or consignment of certain emergency vehicles.

HB 294, introduced by Representatives St. Onge, Portwood, Page, Bruns, Avery, Nieves, Dixon and Dempsey, relating to fire departments.

HB 295, introduced by Representative St. Onge, relating to state transportation fund bonds.

HB 296, introduced by Representative Cooper (120), relating to county officers performing duties for municipalities.

HB 297, introduced by Representative Flook, relating to income taxation.

HB 298, introduced by Representatives Cooper (120), Cooper (155), Weter, Robb, Wilson (119), Whorton and Loehner, relating to blasting and excavation.

HB 299, introduced by Representatives Bruns, Robb, Day, Schad, Wells, Schaaf, Bivins, Sater, Meadows, Moore, Corcoran, Wallace and Sander, relating to gift certificates.

HB 300, introduced by Representative Bruns, relating to fire protection.

HB 301, introduced by Representatives Bruns, Robb, Schad, Wells, Dixon, Schaaf, Ruestman, Bivins, Whorton, Moore and Sander, relating to volunteer fire protection associations.

HB 302, introduced by Representatives Bruns, Schaaf, Ruestman, Moore and Wallace, relating to state aviation trust funds.

HB 303, introduced by Representatives Bruns, Robb, Schaaf, Ruestman, Bivins, Whorton, Sater, Moore, Corcoran, Wallace and Sander, relating to fire protection.

HB 304, introduced by Representatives Bruns, Day, Schad, Wells, Dixon, Schaaf, Ruestman, McGhee, Bivins, Dethrow, Page, Sater, Moore, Corcoran, Wallace and Sander, relating to child visitation.

HB 305, introduced by Representatives Bruns, Page and Moore, relating to the aviation trust fund.

HB 306, introduced by Representatives Smith (14), Onder, Moore, McGhee, Jones (117), Tilley, Day, Bivins, Portwood, Munzlinger, Dempsey, Emery, Walton, Funderburk, Bearden, Meadows, Casey, Wilson (119), Self and Schad, relating to property exempt from taxation.

HB 307, introduced by Representatives Fares, Bivins, Portwood, Muschany, Lembke, Villa, St. Onge, Vogt, Sutherland, Bruns, Brown (50), Stream, Schoemehl, Storch, Icet, Flook, Quinn (9), Faith and Pratt, relating to a tax credit for certain real property taxes.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 1**: Senators Bartle, Crowell, Goodman, Koster, Mayer, Ridgeway, Coleman, Callahan, Days and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

WITHDRAWAL OF HOUSE BILL

January 9, 2007

Adam Crumbliss
Chief Clerk
State Capitol Bldg., Rm. 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I wish to withdraw **House Bill No. 294**.

Thanking you in advance.

Sincerely,

/s/ Neal St. Onge
Representative
House Committee on Transportation

The following members' presence was noted: Bowman and Faith.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, January 10, 2007.

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY, JANUARY 10, 2007

HOUSE BILLS FOR SECOND READING

- 1 HB 169
- 2 HB 274 through HB 307

HOUSE RESOLUTION

HCS HR 15 (1-09-07) - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 10, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You established the earth upon its foundations, send forth springs in the valley, give drink to every beast in the field, cause the grass to grow and bring forth food from the earth.

Instruct us and teach us, Lord God, in the way which we should go: Guide us with Your great forethought and insight.

With the merciful You show Yourself merciful, and with the honorable You show Yourself honorable. With the pure You show Yourself pure; and with the wise You show Yourself wise.

May our activities, this day, be saturated with mercy, honor, purity and wisdom. Guide us by Your hand.

Now may the grace of God, rest and abide with each one of us as we face the responsibilities ahead.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

Speaker Pro Tem Bearden assumed the Chair.

The Journal of the fourth day was approved as printed.

SPECIAL RECOGNITION

Lance Corporal John McClellan of Columbia, Missouri, was introduced by Representative Harris (23) and recognized as an Outstanding Missourian.

MOTION

Representative Dempsey moved that Rule 113 be suspended.

Which motion was adopted by the following vote:

AYES: 154

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 002

Daus Skaggs

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 006

Avery	Brown 30	Cooper 120	Hughes	Liese
Portwood				

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Peter Kinder and members of the Senate to the dais: Representatives Tilley, Brandom, Schoeller, Cunningham (86), Emery, Thomson, Grill, Zweifel, Schoemehl and Walton.

The Speaker appointed the following committee to escort the Honorable Michael A. Wolff, Chief Justice of the Supreme Court of Missouri, to the dais: Representatives Lipke, Smith (150), Pratt, Flook, Faith, Sater, McClanahan, Shively, Quinn (9) and Schieffer.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 032

Barnitz	Bartle	Bray	Callahan	Champion
Coleman	Crowell	Days	Engler	Gibbons
Goodman	Graham	Green	Griesheimer	Gross
Justus	Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason	Ridgeway
Rupp	Shields	Shoemyer	Smith	Stouffer
Vogel	Wilson			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Clemens	Scott
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The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 151

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka

Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 002

Darrough Smith 14

ABSENT WITH LEAVE: 010

Avery	Brown 30	Chappelle-Nadal	Cooper 120	Cooper 155
Harris 23	Hughes	Liese	Portwood	Salva

The Doorkeeper announced the approach of the Honorable Michael A. Wolff, Chief Justice of the Supreme Court of Missouri. Chief Justice Wolff was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

By
Chief Justice Michael A. Wolff

President Kinder, Speaker Jetton, Secretary of State Carnahan, Treasurer Steelman, Auditor Montee, Attorney General Nixon, esteemed members of the General Assembly, my fellow judges of the Supreme Court, and honored guests: I would like to start by paying tribute to two distinguished colleagues from the other branches of government. First, Mike Keathley is a friend to many of us, an outstanding businessman called to public service first as your Senate administrator and then, by Governor Blunt, to be commissioner of administration. We pray for his speedy recovery.

I also would like to pay tribute to Representative Jason Brown. As you know, while stationed in Iraq in October, he suffered a gunshot wound to his chest. He now is back on duty in Iraq. I extend my gratitude, on behalf of the Missouri judiciary, to Representative Brown, for the selflessness and personal courage that he and all of our nation's soldiers have demonstrated in service to our country.

As the people's representatives, you in this chamber, along with the executive branch leaders, set Missouri's policies within the boundaries established by our state and federal constitutions. It is an awesome power that you possess and one worthy of our respect.

Each of our three co-equal branches – legislative, executive and judicial – has been assigned specific roles. It is the system of checks and balances among these three branches of government that is America's unique contribution to the idea of a democratic republic. The Missouri Constitution, echoing the Magna Carta of nearly 800 years ago, guarantees that the courts shall be open to every person and that a remedy be afforded for every legal injury. Unless we choose to abandon what we traditionally have come to understand as a republican form of government, we never must abandon this fundamental principle. We should remember what Benjamin Franklin replied when asked, at the close of the American Constitutional Convention, what form of government the constitution would create; he said: "A republic, if you can keep it."

We in this state have a constant interplay among our branches of government and with our citizens in what is aptly called a laboratory of democracy. As legislators, you have the power to revise the principles of the common law; you have the power to revise statutes when they prove to be inadequate or when courts apply them in a manner with which you disagree. The executive has the power to veto what you pass, and you have the power to enact a statute notwithstanding a governor's veto. And, importantly, the people of Missouri retain the power to revise both constitutional and statutory provisions when they deem it appropriate.

In this laboratory of democracy, these legislative chambers are a marketplace of ideas – ideas that ultimately become the public policy of this state. I have gained over many years a profound appreciation for the legislative process of translating the ideas of the political marketplace – as expressed through elections – into policy expressed as law.

So much of what we in the courts do on a day-to-day basis is driven by the words you give us – to decide cases involving, for example, the status and welfare of vulnerable children, the obligations of marriage, the protection of property rights, the protection of the elderly, and the enforcement of the criminal laws. In hundreds of thousands of cases each year, our courts look to your legislated words to enforce the laws that you enact.

In the 30 years that I have been observing Missouri's legislative process, sometimes at close range, I have been impressed that every one who serves in this body comes with an idealistic and personal vision of how to better the public policy of this state. The framers of our constitutional system purposely created a difficult process through which good legislation is the product of competing visions and compromises among interest groups and interested citizens. In this process, you often are confronted with a question as old as representative government itself: was I sent here to carry out the specific wishes of the voters who elected me or to exercise my best judgment on their behalf regardless of what they might think at the moment? In any event, under either theory, you are accountable to the voters for what you do.

The judicial role, on the other hand, is different. Not better, not worse, but definitely different. Regardless of whether voters agree with our decisions, the courts are accountable to uphold and enforce the laws based on the facts of each case as the litigants present them and within the confines of the state and federal constitutions.

In the first three decades of our state's existence, starting in 1821, Missouri judges did not face the voters: like federal judges, they were appointed by the chief executive, subject to senate confirmation. In 1848, Missouri's voters changed our constitution so that judges were elected on partisan ballots. A few years later the Supreme Court of Missouri decided the first Dred Scott case – in which our court declined to follow its own extensive precedents and instead held that a slave who traveled to free territory was still a slave.

The words of the dissenting judge, Hamilton Gamble, are worth remembering. Judge Gamble, himself a slaveholder, said the court should follow prior case law and recognize Scott's freedom. Addressing the "temporary public excitement" over the issue of slavery that undoubtedly would cloud the people's judgment, Gamble said: "Times may have changed, public feeling may have changed, but principles have not and do not change; and, in my judgment, there can be no safe basis for judicial decision, but in those principles which are immutable." A few years later, after losing his Missouri state case, Dred Scott's appeal of his federal court case resulted in the United States Supreme Court's infamous 1857 decision that denied Mr. Scott's personhood, and his right to sue, in what was truly a low point in American jurisprudence.

Today, most of Missouri's judges – those who serve in the trial courts in 110 counties – are elected directly by the people. Judges in St. Louis, in four urban counties and on the appellate courts serve under the Missouri Nonpartisan Court Plan, adopted by the voters through initiative petition in 1940. Although the governor initially selects these judges from a panel of applicants nominated by a nonpartisan commission of citizens, attorneys and a judge, they are subject to retention election after serving one year in office and periodically thereafter before serving any additional term in office. All Missouri state judges remain accountable to the people through elections.

Unlike legislators, however, judges never should be elected to carry out specific campaign promises. Campaign promises are appropriate for those running for legislative or executive office; in fact, they are essential in helping voters fully evaluate these candidates. But judicial elections are different. After all, if you have a lawsuit, would you really want the judge in your case to promise a position contrary to yours before hearing you present your evidence and legal arguments? No, you would not ... not any more than the local football coach would want to arrive at a game and discover that the referees have already promised to help the other team.

The only promises judicial candidates should make are to follow their constitutional obligations to be accountable to the law, administer justice fairly and impartially, and remain free from political influence and intimidation. When you appear in court as a litigant, you have a right to expect that the judge will decide your case on the facts and on the law regardless of his or her personal beliefs – regardless of political, financial or other special influences or interests.

To achieve and maintain this vision, I want to improve our system of accountability. To do so we must evaluate ourselves honestly and often. As Alexander Hamilton astutely observed 200 years ago, the judiciary has neither the power of the purse nor the power of the sword. Nor should it. We have only judgment. The people's confidence that their disputes will be resolved on the basis of the law is a bedrock principle of our constitutional democracy as well as fundamental to our economic system.

Our obligation to be fair and impartial also extends to our responsibility to administer the affairs of the judiciary wisely. We should be open to evaluations, from the inside and from the outside, to ensure that our process for using the states' resources – which you provide – is thoughtful and wise and based on facts.

To help us evaluate ourselves, enhance our accountability, and determine the best use of our judicial resources, Missouri's court system has taken three solid steps.

Judging the Judiciary

First, to help us understand where we are and where we should be going, I accepted an offer from the American Bar Association's Standing Committee on Judicial Independence to conduct a thorough examination last year of our Missouri court system – at no cost to us. This is the first – and only – such study that has been done of an American court system. They used criteria the ABA developed for advising emerging democracies around the world about what constitutes an adequate and effective judiciary. They studied the structure of Missouri's courts and conducted in-depth interviews with civic leaders, political leaders, journalists, members of the bar and others about their perceptions of the strengths and needs of the Missouri judiciary. Some of you may have participated in that survey – I have no idea who did, as all the responses were anonymous – so if you did, I thank you for your involvement, your candor and your insights.

Fortunately, most of what the assessment had to say about Missouri's courts was quite positive. We were rated favorably on our professionalism, the quality and tenure of our judges, and our basic unified structure. Our ongoing plan for the use of information technology also was well received. I would add, by the way, that we are using this technology not only to make our courts more efficient but also to let the public see who we are and what we do. This past fall, we launched a new Web site that will give the public ready access to this information. I invite you to visit our courts both in person and online at www.courts.mo.gov.

Evaluating Judges' Performance

Our second step is to enhance our courts' accountability to the public through elections. How do voters get information about judicial performance? In most of Missouri's counties, the populations are small enough that the public can get to know their judges and candidates without costly campaigns. However, for trial courts in the larger counties, whether included in the nonpartisan court plan or not, as well as for the Supreme Court and the Court of Appeals, I believe we should enhance the opportunities for the public to get to know these judges, on whom they vote, and to have an evaluation system that provides timely critiques for the benefit of both the public and our judges.

Currently, The Missouri Bar conducts judicial evaluation surveys for every judge on the ballot for retention in nonpartisan plan jurisdictions. The results are available to the media, to the public in printed form in various locations, and on the Bar's Web site. The Bar does all it can to publicize the results given the resources it has, and it should be given great credit for continuing to undertake this valuable service. Most of our citizenry, however, remains uninformed in such elections, mostly because they don't know where to look for information, and this may result in a lack of confidence about our system. I might add, however, that it does have the effect of keeping judges humble. I know I wake up each morning and think of the 582,249 people who voted against me six years ago. Not that anyone's counting. I don't even know 582,249 people, but I'd like to prove to them that the 1.27 million or so Missourians who voted to retain me got it right.

We should try to remedy the lack of information about judges. I am asking The Missouri Bar to convene a fair cross-section of citizens – nonlawyers as well as lawyers – to review our judicial evaluation system, to look at systems in place in other states, and to propose a model that gives useful information about judges that can be communicated effectively to the electorate.

I emphasize two aspects of judicial evaluations. First, a judicial evaluation system should include not just the voices of attorneys, but also the voices of jurors, litigants, witnesses, court staff and others with direct experience with the judges. Second, while the results of a judicial evaluation system should be made available at election, the true intent of any evaluation system is to assist in improving both individual and institutional performance; in other words, evaluation should be ongoing. These evaluations should be timed both to allow judges to have an opportunity to improve as a result of the review and to give voters information before elections where the judges' futures are decided. I believe that the vast majority of judges will be rated highly and that even the highest rated judges will learn something useful about how they do their jobs.

My hope is that the group of citizens convened by The Missouri Bar will propose a judicial evaluation system that is driven by nonlawyers as well as by the members of the Bar; that is independent and nonpartisan; and that produces credible results made widely available to the voting public.

Using Our Resources Wisely

Our third step is to evaluate ourselves in the use and distribution of our resources. The weaknesses the ABA committee identified in its assessment report all relate to lack of resources. One of these relates to the impact of judicial salaries in Missouri. On this topic, I will simply say this: I believe the schedule established by the Citizens' Commission on Compensation under the constitution is sensible and appropriately restrained. The citizens' schedule is essential to our continued ability to attract highly qualified and well-motivated men and women to judicial service. Seven years without one penny of increase is too long.

As for the other needs identified by the ABA report, we look forward to addressing them with you in the budgetary process. We do not seek more judges now. Instead, we need to examine critically and competently how our current resources are deployed. Four years ago, Senator Matt Bartle chaired an Interim Committee on Judicial Resources, which made several recommendations, some dealing with judicial procedure and others dealing with judicial personnel. Many of the recommendations have been implemented.

But because there is no consistent understanding of judicial resource needs, attempts to fashion a consistent process for creating judgeships in this state have languished. Without a coherent method for making decisions allocating judicial personnel, people conclude what they want from the raw data currently available, which includes only population figures and numbers of cases.

But numbers of people and numbers of cases are only part of the answer. To get a true picture of our needs across the state, we have undertaken a substantial study – the first of its kind in Missouri – to review the weighted workload of Missouri's trial judges. I say "workload," not "caseload," because if you just count cases, you will not necessarily get a useful answer. A 15-minute hearing involving a traffic ticket and a two-week murder trial each counts as one "case," but each obviously has a much different impact on judicial time, both in preparation and in the courtroom. Likewise, time that judges spend on administrative duties is essential to the operation of the courts; in rural areas, especially, where one circuit may include as many as five counties, judges spend time moving from county to county to hear cases – we must account for this travel time.

America's expert in conducting judicial weighted workload studies is the National Center for State Courts, which we have engaged to direct Missouri's study. A cross-section of Missouri's trial judges is serving as a steering committee to guide the study, and the National Center is using methodology that has been used in many other states with similar population distributions between urban and rural areas.

This study, which they are conducting this spring, is essential for our future to provide useful information to us, to the public, and to you, the legislature, so that together we might make more informed decisions about judicial personnel needs. The legislative and executive branches are the appropriators of money, but we have an obligation to

advise you how best to spend the public's dollars for courts. This will assure adequate judicial service in every county of the state.

Do we need more judges? My own guess is that, overall, we have enough judges statewide. But until the data are available this summer, any guess regarding our judicial personnel is still just a guess. We are now filling needs in some areas by transferring judges and using senior judges. We should wait for the results of this study before making any long-term changes in allocation or numbers of judges.

Cooperative Efforts

Although there remains much to improve that the three steps I have described will help bring to light, there is much that we have done in recent years to increase our efficiency and, indeed, to cooperate in improving state government as a whole. Through legislation you passed in 2004, we established methods to collect overdue court debt through the use of income tax offsets, time payment fees and private debt collection agencies. The end result of these efforts has been twofold: a greater respect for the laws you pass, by virtue of the higher percentages of court costs and fines paid, and, since the programs began, an increase of more than \$3 million to the state and to local governments and school districts. Almost none of that money comes to the judiciary, just in case you were wondering.

There are other examples. We continue to cooperate with the department of corrections and other agencies in seeking alternatives to prison, including our drug courts, to enhance public safety and to avoid wasting scarce correctional dollars. Additionally, we have remained in contact with you about several opportunities that may allow all three branches of government to become even more efficient. These include the potential for greater savings of time and money in our juvenile justice system as well as for a structural reduction in the public defender's caseload. Working as partners, we can solve these kinds of problems. We are committed to cooperating with you in a continued spirit of openness and respect, so that we all may better serve the citizens to whom we all are ultimately accountable.

In the past 18 months, during which I have been privileged to serve as chief justice, I have worked hard to help our citizens better understand their system of government. Judges and members of the bar around the state similarly have embraced the challenge of engaging in civics education.

In the eight and a half years I have served on the Supreme Court – and especially in these last 18 months – I have gotten to know many of the fine men and women who serve in the judicial branch as judges, as clerks and as support staff throughout the state. I am very proud of their dedication and of the work they do, week in and week out, to uphold the rule of law and to maintain a stable, civil society in our state through the fair and impartial administration of justice.

On their behalf, I assure you that we in the judiciary will continue to be responsive to the public's needs, and we will continue to evaluate ourselves – subject to the scrutiny of others – in the spirit of honesty and accountability that all Missourians should expect of us. In turn, it is my hope that you will continue to work with us toward the goal of giving Missouri the greatest judicial system possible. Without your continued support, we cannot meet this goal. But with your support, I am certain that we will.

Thank you.

The Joint Session was dissolved by Senator Shields.

Speaker Pro Tem Bearden resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 81 through House Resolution No. 112

HOUSE CONCURRENT RESOLUTIONS

Representative Brown (50) offered House Concurrent Resolution No. 7.
Representative Loehner, et al., offered House Concurrent Resolution No. 8.

SECOND READING OF HOUSE BILLS

HB 169 was read the second time.
HB 274 through **HB 307** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 308, introduced by Representatives Kraus, Muschany, McGhee, Day, Nance, Dixon, Sander, Dusenberg, Meadows, Sater, Wells, Baker (123), Bearden, Yates, Schaaf, Bruns, Avery, Grill, Weter, Bivins, Hodges, Jones (89), Corcoran, Jetton, Hunter and Spreng, relating to income tax exemptions for military pensions.

HB 309, introduced by Representatives Kraus, Ruestman, Dusenberg, McGhee, Bivins, Yates, Dixon, Flook, Sander and Spreng, relating to restrictions on certain sexual offenders.

HB 310, introduced by Representatives Wood, Kratky, Schneider, Whorton, Viebrock, Wilson (119), Wallace, Wright-Jones, Smith (150), Weter, Spreng, Ruzicka, Tilley, Ruestman, Shively and Schad, relating to real estate licenses.

HB 311, introduced by Representative Threlkeld, relating to liquefied petroleum gases.

HB 312, introduced by Representatives Wallace, Weter and Wood, relating to salaries of county officials.

HB 313, introduced by Representatives Schneider and Hubbard, relating to higher education scholarships.

HB 314, introduced by Representatives Tilley, Bruns, Bivins, Moore, Munzlinger, Swinger, Funderburk, Robb, Sater, Dougherty, Schaaf, Jones (89), Page, Grill and Sander, relating to pharmacists.

HB 315, introduced by Representative Pratt, relating to allowing attorneys to provide legal services to needy persons without compensation.

HB 316, introduced by Representative Pratt, relating to the basic civil legal services fund.

HB 317, introduced by Representatives El-Amin and Hubbard, relating to cellular telephone use.

HB 318, introduced by Representatives El-Amin and Hubbard, relating to the designation of a memorial highway.

HB 319, introduced by Representative Villa, relating to firefighter retirement.

HB 320, introduced by Representatives Day, Jones (117), McGhee, Munzlinger, Meadows, Wilson (119), Wright, Sater, Komo, Bivins, Dougherty, Weter, Loehner, Wallace, Schaaf, Schad, Whorton, Funderburk, Wells and Sander, relating to driver's licenses.

HB 321, introduced by Representatives Baker (25), Low (39), Roorda, Yaeger, Lampe, Meadows, Swinger, LeVota, Schaaf, Oxford, Talboy and Kuessner, relating to the Missouri surgeon general.

HB 322, introduced by Representatives Dusenberg, Baker (123), Sander, McGhee, Sater, Wells and Moore, relating to the powers of the gaming commission.

HB 323, introduced by Representative Cunningham (145), relating to exemptions from sales and use taxes.

HB 324, introduced by Representatives Smith (150), Wood, Kratky, Schoeller, Viebrock, Ruzicka, Shively, Spreng, Wright-Jones and Schneider, relating to the sex offender registry.

HB 325, introduced by Representatives St. Onge, Portwood, Page, Bruns, Avery, Nieves, Dixon, Storch, Meadows, Corcoran, Dempsey, Roorda, Hodges, Schieffer and Schneider, relating to fire departments.

HB 326, introduced by Representatives Kraus, Nance, Dixon, Chappelle-Nadal, Muschany and Moore, relating to alcohol-related traffic offenses.

HB 327, introduced by Representatives Richard, Bowman, Kratky and Pearce, relating to the quality jobs act.

HB 328, introduced by Representatives Richard, Pearce, Bowman and Kratky, relating to enhanced enterprise zones.

WITHDRAWAL OF HOUSE BILLS

January 10, 2007

Adam Crumbliss, Chief Clerk
Missouri State Capitol - Room 306C
201 West Capitol Avenue
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request withdrawal of **House Bill No. 80** due to a technical error. Your assistance is appreciated.

Sincerely,

/s/ Tom Loehner

January 10, 2007

TO: Adam Crumbliss, Chief Clerk
FROM: Rodney R. Hubbard
RE: Withdrawal of **House Bill No. 260**

I respectfully request that **House Bill No. 260** be withdrawn. This bill relates to the hiring of law enforcement officers by private colleges and universities.

January 10, 2007

TO: Adam Crumbliss, Chief Clerk
FROM: Mark J. Bruns
SUBJECT: Withdraw Bill

I respectfully request that **House Bill No. 302** and **House Bill No. 305** be withdrawn. If you need any additional information, let me know.

Thanks!

The following member's presence was noted: Portwood.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, January 11, 2007.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 11, 2007

HOUSE BILLS FOR SECOND READING

HB 308 through HB 328

HOUSE RESOLUTION

HCS HR 15, (1-09-07, Pages 75-100) - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 11, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Msgr. Donald W. Lammers.

On the day after the address of President Bush on the war in Iraq, let us pray for those in authority, as the scriptures guide us to do.

Almighty God, we pray for President Bush, the Secretary of Defense, all who advise them, and all who critique their decisions. Guide and challenge them all by Your grace, until they have purity of intention. Strengthen them with clarity of thought, full understanding and right judgment. We pray for the generals and other officers on the ground in Iraq. Give them courage and wisdom and proper concern for the innocent. We pray for all our armed forces serving in Iraq. Keep them safe.

We pray for the Prime Minister of Iraq and all who lead that government. Give them the wisdom and skill to develop a just and peaceful society.

Lord God, obeying Your word, we pray for the enemy. Heal them of their pain. Turn hatred to understanding.

Raise up leaders on all sides to work behind the scenes to discern the true causes of this war. Inspire those with the power on all sides to have the courage and integrity to remove the causes of war.

May our concern for the international involvements of our nation strengthen us today for our work here.

We pray Almighty God, our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 146

Aull	Baker 123	Bearden	Bivins	Bland
Brandom	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly

Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Baker 25	Bowman	Daus	Donnelly	Flook
Lowe 44	Skaggs	Smith 14	Vogt	

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 007

Avery	Brown 30	Bruns	Cooper 120	Hughes
Liese	Page			

SPECIAL RECOGNITION

Dr. Vern Cherry, Dr. Robert S. Cornwell, Dr. Jerome E. Holtzman, Dr. Bobby T. Moudy, Ms. Carolyn J. Nichols and Dr. Ronald C. Tonsi were recognized for their lifetime of dedication to the dental profession.

HOUSE RESOLUTIONS

Representative Davis offered House Resolution No. 127.
 Representative Deeken offered House Resolution No. 133.
 Representatives Bruns and Deeken offered House Resolution No. 136.
 Representative Portwood offered House Resolution No. 139.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 113 through House Resolution No. 126
 House Resolution No. 128 through House Resolution No. 132

House Resolution No. 134 and House Resolution No. 135
House Resolution No. 137 and House Resolution No. 138
House Resolution No. 140

HOUSE CONCURRENT RESOLUTIONS

Representative Zweifel, et al., offered House Concurrent Resolution No. 9.
Representative Zweifel, et al., offered House Concurrent Resolution No. 10.

SECOND READING OF HOUSE BILLS

HB 308 through **HB 328** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 8, introduced by Representatives Davis, Stevenson, Portwood, Schaaf and Bearden, relating to property taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 329, introduced by Representative Cunningham (145), relating to debt adjusters.

HB 330, introduced by Representative Schaaf, relating to disability benefits.

HB 331, introduced by Representatives Lipke and Dusenberg, relating to the Missouri state highway patrol.

HB 332, introduced by Representatives Lipke and Baker (25), relating to crime victim's rights.

HB 333, introduced by Representatives Lipke and Page, relating to a controlled substances dispensation monitoring program.

HB 334, introduced by Representative Lipke, relating to sexual offenders.

HB 335, introduced by Representative Lipke, relating to the operation of a vessel with excessive blood alcohol content.

HB 336, introduced by Representative Lipke, relating to the crime of driving with a controlled substance in a person's body.

HB 337, introduced by Representative Lipke, relating to DNA profiling.

HB 338, introduced by Representatives Tilley, Wells, Jones (117), Bruns, Moore, Schad, Munzlinger, Weter, Wallace, Robb, Smith (150), Swinger, Funderburk, Roorda, Meadows, McGhee, Salva, Kratky, Pratt, Wildberger, Hunter, Avery, Guest, Bivins, Pollock, Kelly, Deeken, Wilson (119), Yaeger, Sutherland, Dougherty, Fisher, Robinson, Quinn (7), Harris (110) and Sander, relating to minimum pay for certain corrections employees.

HB 339, introduced by Representative Hunter, relating to wholesale distributors of prescription drugs.

HB 340, introduced by Representative Villa, relating to jury service.

HB 341, introduced by Representatives Munzlinger, Ruestman, Swinger, Jones (117) and Parson, relating to commercial vehicle inspectors and enforcement officers.

HB 342, introduced by Representatives Munzlinger, Sander, Fisher, McGhee, Sater, Schad and Ruestman, relating to the prevailing wage.

HB 343, introduced by Representatives Munzlinger, Fisher, McGhee and Sater, relating to hazardous substances.

HB 344, introduced by Representatives Munzlinger, Sander, Fisher, McGhee and Sater, relating to field crop damage.

HB 345, introduced by Representatives Munzlinger, Dougherty, Wallace, Sander, Fisher, McGhee, Sater, Schad, Harris (110), Moore, Ruestman, Smith (150), Wells, Frame, Day, Meadows and Pearce, relating to the governor's powers to regulate firearms during a state of emergency.

HB 346, introduced by Representatives Munzlinger, Schad, Muschany, Sander and Swinger, relating to agricultural tax credits.

HB 347, introduced by Representatives Munzlinger, Schad, Sander, Swinger and Bivins, relating to income tax credits for alternative fuel facilities.

HB 348, introduced by Representatives Munzlinger, Fisher, McGhee, Wallace, Moore, Schad, Harris (110) and Sander, relating to the Missouri agriculture and small business development authority.

HB 349, introduced by Representatives Skaggs, Frame, Swinger, Corcoran, Zimmerman, Burnett, Talboy, Zweifel, Low (39), Meadows, LeVota, Wildberger, George, Quinn (9), Roorda, Schieffer, Norr, Lampe, Storch, Grill and Kuessner, relating to elections.

HB 350, introduced by Representatives Wood, Lampe, Fisher, Viebrock, Kratky, Dougherty, Moore, Denison, Jones (117), Dixon, Deeken, Bivins, Franz, Weter and Pearce, relating to psychologist licensing.

HB 351, introduced by Representatives Wood, Kratky, Wallace, Whorton, Chappelle-Nadal, Schneider, Viebrock, Wilson (119), Yaeger, Wright-Jones, Smith (150), Weter, Spreng, Ruzicka, Tilley, Ruestman, Harris (110), Schad, Fisher, Schaaf, Jones (117), May, Wilson (130), Parson, Franz, Nolte, Sater, Hobbs, Funderburk and Daus, relating to the designation of the official state invertebrate.

HB 352, introduced by Representatives Hobbs, Hubbard, Wells, McGhee, Fares, Moore, Thomson, Schad, Bruns, Richard, Ruestman, Self, Wasson, Pearce, Flook, Stevenson, Lembke, Dempsey, Ervin, Jones (117), Quinn (9), Bandom, Robb, Sander, Munzlinger, Denison, Wright, Threlkeld, Wood, Funderburk, Franz, Quinn (7), Bowman, Scharnhorst and Onder, relating to state purchasing and printing.

HB 353, introduced by Representatives Schaaf, Jetton, Richard, Page, Cooper (155), Threlkeld, Onder, Swinger, Jones (89), Portwood, Nance, Deeken, Wallace, Munzlinger, Viebrock, Self, Sander, Tilley, Flook, Kingery, Weter, Hunter, Scharnhorst, Davis, Cox, Ruzicka, Fares, Bivins, Schoeller, Bandom, Moore, Jones (117), Fisher, Bruns, Stream, Franz, Roorda, Schad, Dusenberger, Day, Nieves, Silvey, Dixon, Parson, Whorton, Bearden, Brown (50), Marsh, St. Onge, Guest, May, Cunningham (145), Schneider, Icet, Hobbs, Smith (150), Robb, Dempsey, McGhee, Emery, Cunningham (86), Hubbard, Baker (123), Wilson (130), Ervin, Wood, Wilson (119), Denison, Quinn (7), Kelly, Wells, Wasson, Dougherty, Nolte, Cooper (158), Meiners, Thomson, Sater, Wright, Lembke, Lipke, Stevenson, Spreng, Schlottach, Ruestman and Muschany, relating to Medicaid fraud.

HB 354, introduced by Representatives Kelly, Wilson (119), Wells, Franz, Schad, Cunningham (145) and Kuessner, relating to use of public lands.

HB 355, introduced by Representatives Avery, Pratt, Muschany, Moore and Lembke, relating to additional powers of the director of finance.

HB 356, introduced by Representatives Avery and Sutherland, relating to the distribution of local sales taxes.

HB 357, introduced by Representatives Frame, Roorda, Komo, Moore and Meadows, relating to monitoring the sale of certain schedule V substances.

HB 358, introduced by Representatives Frame, Komo, McGhee, Talboy, Storch, Meadows, Wildberger, Moore and Holsman, relating to sales and use tax exemptions.

HB 359, introduced by Representatives Frame, Komo, Wildberger, Holsman, Harris (110), Fallert, Moore, Meadows and Hodges, relating to property taxation.

HB 360, introduced by Representatives Robb, Sater, Grill and Sutherland, relating to a tax credit for qualified film production projects.

HB 361, introduced by Representatives Robb, McGhee and Sater, relating to county property in regional recreational districts.

HB 362, introduced by Representatives Loehner, Wallace, Sater and McGhee, relating to watercraft tax.

HB 363, introduced by Representatives Wilson (119), Fisher, Wilson (130), Wood, Parson, Jones (117), Munzlinger, Schad, Dethrow, Meadows, Wallace, Kelly, Viebrock, Nolte, Threlkeld, Loehner and Self, relating to fees for certain hunting licenses and permits.

HB 364, introduced by Representatives Ervin, Weter, Hunter, Sater, Dusenberg, McGhee, Ruestman, Wells, Wilson (119), Bivins, Page, Moore, Wallace and Cooper (155), relating to Missouri adjusted gross income calculations.

HB 365, introduced by Representatives Ervin, Wilson (119), Flook, Baker (123), Harris (110), Schaaf, Nance, Wallace, Wilson (130), Sater, Moore, Hunter, Sander, Komo, Storch, Yates, Wells, Schad, Richard, Faith, Bivins, Meiners and Munzlinger, relating to small business.

HB 366, introduced by Representatives Ervin, Hobbs, Pratt, Flook, Wilson (119), Meadows, Sater, Nance, Deeken, Ruestman, Moore, Sander, McGhee, Yates and Bruns, relating to distribution of a controlled substance near a park.

HB 367, introduced by Representatives Dethrow, May, Jones (117), Bruns, McGhee, Dusenberg, Wilson (119), Page, Bivins, Sater, Moore, Wells, Sander and Cooper (155), relating to an income tax deduction for long-term care insurance premiums.

HB 368, introduced by Representatives Nolte, Richard, Silvey, Ervin, Nance, Skaggs and Flook, relating to sales and use tax exemptions.

HB 369, introduced by Representatives Fisher, Hunter, Stevenson, Cunningham (145), Denison, Dethrow, Wells, Emery, Parson and Wood, relating to public contracts.

HB 370, introduced by Representatives Fisher, Stevenson, Wilson (119), Jones (117) and Quinn (7), relating to family farms property rights protection act of 2007.

HB 371, introduced by Representatives Fallert, Walsh, Corcoran, George, Salva, Darrough, Zweifel, Komo, Meadows, Wildberger, Schoemehl, Young, Frame, Lowe (44) and Spreng, relating to workplace safety.

HB 372, introduced by Representative Wildberger, relating to sexual offenses.

HB 373, introduced by Representatives Wildberger and Meiners, relating to compensation for certain injured workers.

HB 374, introduced by Representatives Wildberger, Moore, Kuessner, Meiners, Frame, Young and Schaaf, relating to verification of Social Security numbers.

HB 375, introduced by Representatives Wildberger, Harris (23), McGhee, Baker (25), Moore, Meiners and Komo, relating to retirement benefits for firefighters.

HB 376, introduced by Representatives Wildberger and Young, relating to unlawful employment practices.

HB 377, introduced by Representatives Wildberger, Moore and Meiners, relating to release of personal information to unauthorized persons.

HB 378, introduced by Representatives Wildberger and Baker (25), relating to the registered surgical technologist title protection act.

HB 379, introduced by Representatives Wildberger and Meiners, relating to child support.

HB 380, introduced by Representatives Wildberger and Moore, relating to the child advocacy center fund.

HB 381, introduced by Representatives Wildberger, McGhee, Komo and Meiners, relating to income taxes.

HB 382, introduced by Representatives Wildberger, Moore and Schaaf, relating to transporting a child without parental consent.

HB 383, introduced by Representatives Wildberger, Harris (23), Moore, McGhee, Baker (25), Munzlinger, Swinger, Meiners and Schaaf, relating to an income tax deduction for long-term care insurance premiums.

HB 384, introduced by Representatives Wildberger and Munzlinger, relating to charitable solicitations.

HB 385, introduced by Representative Wildberger, relating to personal property tax payments.

HB 386, introduced by Representative Wildberger, relating to compensation of marshals appointed by appellate courts.

HB 387, introduced by Representatives Zweifel, Darrough, Corcoran, Burnett, Komo, Chappelle-Nadal, Roorda, Meadows, Yaeger, Shively, Quinn (9), Schieffer, Skaggs, LeVota, Oxford, Nasheed, Daus, Donnelly, George, Walsh, Schoemehl, Casey, Kuessner, Hodges, Frame, Harris (110), Wright-Jones and Bland, relating to student loan administration.

HB 388, introduced by Representatives Zweifel, Darrough, Storch, Komo, Meadows, Walton, Yaeger, Oxford, Brown (50) and Burnett, relating to the local community rail security act of 2007.

HB 389, introduced by Representatives Zweifel, Darrough, Sater, Meadows, Walton, Yaeger, Page, Oxford, Storch, Moore, Schieffer and Burnett, relating to securities protection for senior citizens.

HB 390, introduced by Representative Dempsey, relating to retirement.

HB 391, introduced by Representative Dempsey, relating to the division of retirement benefits.

HB 392, introduced by Representative Dempsey, relating to the purchasing of retirement service credit.

HB 393, introduced by Representative Dempsey, relating to retirement plan election options.

HB 394, introduced by Representative Dempsey, relating to the Missouri state employee's retirement system.

HB 395, introduced by Representative Dempsey, relating to reemployment after retirement.

HB 396, introduced by Representatives Wells, Jones (117), Wilson (119), Hunter, Dixon, Nieves, Parson, Richard, Bearden, Munzlinger, Fisher, Pollock, Denison, Viebrock, Tilley, Franz, Brown (50), Dethrow, Cunningham (145), Weter, Robb, Jetton, May, Dusenberg, Kuessner, Moore and Sater, relating to the crime of unlawful use of weapons.

HB 397, introduced by Representatives Wells, May, Wallace, Robb, Schlottach, Sater, Kelly and Pollock, relating to utility vehicles.

HB 398, introduced by Representatives Walton, Moore, Meadows, Wallace, Pratt, Wildberger, Salva, LeVota, Walsh, Low (39), Aull, Yaeger, Bringer, Zweifel, Swinger, Harris (110) and Schieffer, relating to the use and disclosure of Social Security numbers.

HB 399, introduced by Representatives Walton, Wood, Day, Moore, Curls, Roorda, Aull, Yaeger, Swinger, Harris (110) and Schieffer, relating to false or deceptive business practices.

HB 400, introduced by Representatives Walton, Walsh, Yaeger, Swinger and Harris (110), relating to high school athletic events.

HB 401, introduced by Representatives Dusenberg, Nance, Kraus, Pratt, Yates, Grisamore, Young and Meiners, relating to tow truck operators.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Tuesday, January 16, 2007.

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 16, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 8

HOUSE BILLS FOR SECOND READING

HB 329 through HB 401

HOUSE RESOLUTION

HCS HR 15, (1-09-07, Pages 75-100) - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 16, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Msgr. Donald W. Lammers.

(We are here at 4:00 today because yesterday we commemorated the birthday of Dr. Martin Luther King, Jr.)

Let us pray.

Almighty God, You raised up Dr. Martin Luther King, Jr., a prophet speaking the truth of freedom as Your gift to every human person. He showed us that freedom is cast in the very foundation of America and yet kept from a large portion of Americans. You stung our consciences through his word and example.

We thank You our God for the great advances of freedom for all in the last forty years. By Your grace may our consciences remain alert and honest about ways in which some of our deserving citizens are still not as free as most of us.

Give us the grace we need to carry out our special responsibility, as members of this body, for guarding the gift of freedom in our land and for advancing it into places where it is yet lacking or incomplete.

You are our God, our eternal Father. We honor and adore You forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as printed by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bearden	Bivins
Bowman	Brandom	Bringer	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dethrow	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Lipke	Loehner	Low 39
Marsh	McClanahan	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves

Nolte	Norr	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Wells	Weter	Whorton	Wildberger	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Daus	Flook	Lowe 44
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PRESENT: 001

Darrough

ABSENT WITH LEAVE: 020

Avery	Bland	Brown 30	Brown 50	Cunningham 145
Dempsey	Dixon	Hughes	Hunter	Liese
May	McGhee	Page	Richard	Sutherland
Viebrock	Walton	Wasson	Wilson 119	Young

HOUSE RESOLUTION

Representative Jones (117) offered House Resolution No. 152.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 141 through House Resolution No. 151

House Resolution No. 153 and House Resolution No. 154

HOUSE CONCURRENT RESOLUTION

Representatives Ervin and Flook offered House Concurrent Resolution No. 11.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 8 was read the second time.

SECOND READING OF HOUSE BILLS

HB 329 through **HB 401** were read the second time.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 15, introduced by Representative Icet, to appropriate money for supplemental purposes for the Department of Social Services, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2007.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 402, introduced by Representatives Denison, Schaaf, McGhee, Wells, Bivins, Whorton, Walton, Sater, Munzlinger, Meadows, Ruestman and Jones (89), relating to income taxation.

HB 403, introduced by Representatives Denison and Schaaf, relating to ethanol-blended gasoline.

HB 404, introduced by Representatives Denison and Sater, relating to disposition of marital property.

HB 405, introduced by Representatives Moore and Bearden, relating to the highway patrol.

HB 406, introduced by Representatives Schad, Jones (117), Tilley, Wallace, Wilson (119), McGhee, Bivins, Moore, Deeken, Robb, Fisher, Schaaf, Day, Sater, Weter, Cunningham (145), Parson, Sutherland, Dusenberg, Denison, Franz, Wells, Schneider, Wilson (130), May, Wright, Cooper (155), Muschany, Jones (89), Onder, Pollock, Dethrow, Loehner, Ruestman, Schlottach, Kingery, Lembke, Dempsey, Cooper (120), Nieves, Smith (14), Baker (123), Nance, Viebrock, Cunningham (86), Wood, Ervin, Munzlinger, Guest, Pratt, Flook, Stevenson, Smith (150), Bearden, Silvey, Schoeller, Nolte, Dixon, Quinn (7), St. Onge, Kelly, Richard, Sander, Scharnhorst, Faith, Bruns and Grisamore, relating to watercraft regulations.

HB 407, introduced by Representatives Yates, Bearden, Kraus, Dusenberg, Richard, Wilson (130), Muschany, Fisher, McGhee, Avery, Wilson (119), Munzlinger, Ruestman, Robb, Moore, Sander, Faith and Schneider, relating to the uninsured motorists.

HB 408, introduced by Representatives Yates, Dusenberg, Sander, Nance, Fisher and Muschany, relating to safety belts.

HB 409, introduced by Representatives Bowman, Curls, Hodges, Oxford and Bland, relating to urban revitalization.

HB 410, introduced by Representatives Bowman, Vogt, Witte, Walsh, Young, Fallert, Meiners, Rucker, Baker (25), LeVota, Talboy, Low (39), Daus, Komo, Curls, Walton, Villa, Oxford, Norr, Casey, Bringer, Donnelly, Harris (23), Burnett, Kuessner, Shively, Kratky, Darrough, Holsman and Bland, relating to duties of the secretary of state.

HB 411, introduced by Representatives Bowman, Fallert, Walsh, Corcoran, Darrough, Walton, Komo, Zweifel, Meadows, Salva, George, Donnelly, Wright-Jones, Hughes, Witte, Lowe (44), Vogt, Meiners, Rucker, LeVota, Talboy, Young, Low (39), Daus, Curls, Villa, Oxford, Casey and Bland, relating to trade agreements.

HB 412, introduced by Representatives Emery, Ervin, Davis, Fisher, Wilson (119), Muschany, Sater, Ruestman, Sander, Baker (123), Bivins, Moore, Lembke, McGhee, Nieves, Cooper (155) and Schad, relating to the right of pharmacies regarding abortifacients.

HB 413, introduced by Representatives Emery, Whorton, Hunter, Wells, Fisher, Denison, Wilson (130), Franz, Ruestman, McGhee, Day, Dougherty, Nieves and Schad, relating to the elevator safety board.

HB 414, introduced by Representatives Pearce, Day, Wilson (130), Fisher, Swinger, Wilson (119), Ruestman, Daus, Sater, Sander, Wallace, Whorton, Moore and Holsman, relating to proof of lawful presence.

HB 415, introduced by Representative Cunningham (86), relating to early intervention services.

HB 416, introduced by Representative Cunningham (86), relating to qualifications of directors of fire protection district boards.

HB 417, introduced by Representatives Cunningham (86) and Muschany, relating to the education Competitive Advantage Act.

HB 418, introduced by Representative Cunningham (86), relating to special education services.

HB 419, introduced by Representative Yates, relating to insurance company investments.

HB 420, introduced by Representative Flook, relating to health insurance coverage for emergency treatment.

HB 421, introduced by Representatives Flook, Fisher, Muschany, Weter, Dusenberg, Davis, Dixon, Schad, Quinn (7), Moore, Ruestman, Page, Roorda, Sander, Meadows, Emery, Yates, Oxford, Nieves, Faith, Kraus, Richard and Bivins, relating to criminal nonsupport.

HB 422, introduced by Representatives Whorton, Smith (150), Kuessner, Wallace and Dougherty, relating to the national animal identification system.

HB 423, introduced by Representatives Whorton, Walsh, Weter, Norr, Low (39), Moore, Baker (25), Wallace, Meiners, Dougherty, Meadows, Lampe, Wildberger, Oxford, Swinger and Brown (50), relating to payday loans.

HB 424, introduced by Representatives Whorton, Walsh, Low (39), Baker (25), Meiners, Dougherty, Meadows, Kuessner, Wildberger and Oxford, relating to eligibility for medical assistance.

HB 425, introduced by Representatives Pearce, Bivins, Schlottach, Sater and Moore, relating to transportation of pupils.

HB 426, introduced by Representative Parson, relating to the Missouri propane safety act.

HB 427, introduced by Representatives Ruestman, Sater, McGhee, Fisher, Faith, Scharnhorst, Moore, Sander, Schneider, Davis, Fares, Wood, Emery, Oxford and Brandom, relating to Missouri women's counsel.

HB 428, introduced by Representative Cox, relating to the state fair escrow fund.

HB 429, introduced by Representatives Jones (117) and Schad, relating to natural gas safety penalties.

HB 430, introduced by Representatives Jones (117), Parson, Munzlinger, Schad, Sander, Faith, Cunningham (145), Denison, Roorda, Jones (89), Brown (50) and Dougherty, relating to the possession or discharge of a firearm or projectile weapon.

COMMITTEE ASSIGNMENT

January 16, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby reappoint the following members to serve on the Joint Committee on Administrative Rules:

Representative Bryan Stevenson
Representative Nathan Cooper
Representative Jason Smith
Representative Sam Page
Representative Michael Vogt

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

WITHDRAWAL OF HOUSE BILL

January 2, 2007

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Adam:

I had previously filed **House Bill No. 195** that "grants the Highway Patrol authority to investigate excursion gambling boat activities", but respectfully ask that this bill be withdrawn.

Thanking you in advance for your assistance in this matter.

Best regards,

/s/ Gary Dusenberg
District 54

The following members' presence was noted: Bland, Brown (50), Hunter, McGhee, Page, Richard, Sutherland and Walton.

ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Wednesday, January 17, 2007.

COMMITTEE MEETINGS

JOINT COMMITTEE ON ADMINISTRATIVE RULES
Wednesday, January 17, 2007, 3:00 p.m. Senate Lounge.
Department of Mental Health; Department of Health and
Senior Services - Regulation and Licensure - Residential Care and Assisted Living

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 17, 2007

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 15

HOUSE BILLS FOR SECOND READING

HB 402 through HB 430

HOUSE RESOLUTION

HCS HR 15, (1-09-07, Pages 75-100) - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 17, 2007

The House met pursuant to adjournment.

Representative Icet in the Chair.

Prayer by Reverend James Earl Jackson.

Father God, You are our anchor in stressful times; our stability in adversity. We are grateful to know that You are mindful of us, watching over our coming in and going out. You are good with only our best at heart.

And so we are thankful and glad and feel completely secure; confident that You will not abandon us in our hour of need.

We are aware that it was not our power or our might that have brought us to this place, but Your sovereign grace. All authority is of You.

Help us in our impatience. Grant stability when we waver. Strengthen us when we are weak. Forgive us for hasty words. Comfort us in Your love.

Now may Your grace rest and abide with each one of us throughout this coming week.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ed Kretzler.

The Journal of the seventh day was approved as printed by the following vote:

AYES: 151

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke

LeVota	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 003

Daus	Flook	Lowe 44
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PRESENT: 001

Darrough

ABSENT WITH LEAVE: 008

Avery	Bowman	Brown 30	Cunningham 145	Dixon
Liese	Viebrock	Young		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 155 through House Resolution No. 164

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 15 was read the second time.

SECOND READING OF HOUSE BILLS

HB 402 through **HB 430** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 431, introduced by Representative Pratt, relating to business organizations.

HB 432, introduced by Representatives Schaaf, Cooper (155), Portwood, Page, Onder, Dixon, Roorda, Meiners, Davis, Weter, Whorton, McGhee, Dougherty, Jones (89), Meadows, Moore,

Ruestman, Hunter, Wallace, Dusenberg, Schad and Sander, relating to any willing providers for health insurance.

HB 433, introduced by Representatives Stevenson, Sater, Sander, Flook, Yates and Schad, relating to underinsured motor vehicle coverage.

HB 434, introduced by Representatives Stevenson and Sander, relating to the health care rights of conscience act.

HB 435, introduced by Representatives Stevenson, Wallace, Sater, Sander and Flook, relating to mental health.

HB 436, introduced by Representatives Burnett, LeVota, Grill, Bringer, Harris (23), Zweifel, Darrough, Wildberger, Skaggs, Corcoran, Villa, Storch, Witte, Lampe, Vogt, Spreng, Young, Frame, Hughes, Low (39), Talboy, Donnelly and Johnson, relating to limited liability companies.

HB 437, introduced by Representatives Burnett, Wildberger, Schaaf and Whorton, relating to drivers' licenses.

HB 438, introduced by Representatives Storch, Yaeger, Chappelle-Nadal, Cooper (158), LeVota, Low (39), Robinson, Swinger, Meadows, Schoemehl, Wildberger, Moore, McGhee, St. Onge, Grill, Harris (23), Oxford, Roorda, Burnett, Frame, Zimmerman, Wallace, Harris (110), Sater, Stevenson, Hodges, Brown (50), Holsman, Scavuzzo, Norr, Schieffer, Johnson, Hubbard, Hoskins, Zweifel, McClanahan, Skaggs, Meiners, Walsh, Talboy, Wright-Jones, Daus, Corcoran, Hughes, Quinn (9), Kuessner, Kratky, Shively, Witte, Donnelly and El-Amin, relating to the twenty-first century scholars program.

HB 439, introduced by Representatives Hunter, Dethrow, Ruestman, Schad, Day, Sater, Robb, Munzlinger, Sander and Emery, relating to employee rights.

HB 440, introduced by Representatives Hunter, Bivins, Ruestman, Sater, Schaaf and Dethrow, relating to labor organizations.

HB 441, introduced by Representatives Hunter, Ruestman, Day, Sater, Sander and Dethrow, relating to unions.

HB 442, introduced by Representatives Kingery, Pearce, Fares and Bearden, relating to the creation of the Missouri legacy fund.

HB 443, introduced by Representative Roorda, relating to safety belts.

HB 444, introduced by Representatives Jetton, Bearden, Ruestman, Dempsey, Cooper (120), Nieves, Self, Icet, Dixon, Wilson (130), Pollock, Muschany, Sutherland, Sander, Kingery, Hubbard, Bruns, Portwood, Wilson (119), Deeken, Funderburk, St. Onge, May, Wells, Bivins, Silvey, Dethrow, Fisher, Pratt, Weter, Sater, Denison, Scharnhorst, Smith (150), Franz, Jones (89), Wright, Flook, Cunningham (86), Day, Cox, Ruzicka, Thomson, Moore, Cunningham (145), Stream, Schoeller, Jones (117), Guest, Dusenberg, Roorda, Schad, Whorton, Ervin, Wood, Emery, Schneider, Page,

Munzlinger, Hunter, Marsh, Stevenson, Frame, Komo, Brown (50), Wildberger, Meadows, Bland, Yaeger, Scavuzzo, Hoskins, Zimmerman, Storch, Kratky, Chappelle-Nadal, Brandom, Viebrock, Davis, Kelly, Schieffer, Salva, Dougherty, Johnson, Corcoran, El-Amin, Wright-Jones, Haywood, Swinger, Walton, Hughes, Wallace, Schlottach, Lipke, Avery, Lembke, Tilley, Baker (123), Faith, Fares, Pearce, Richard, Hobbs, Schaaf, Grill, Onder, Casey, Quinn (7), Aull, Cooper (155), Parson, Grisamore, Nance, Kraus, Smith (14), Rucker, Cooper (158), Spreng, Yates, Nolte, McGhee, Wasson and Loehner, relating to an income tax deduction.

HB 445, introduced by Representatives Deeken, Johnson, Avery, Sander, Quinn (7), Schneider, Bruns, Schaaf, LeVota, Hubbard, Tilley, Bowman, Denison, McGhee, Schlottach, Lembke, Faith, Wright-Jones, Harris (110), Meadows, Roorda, Burnett, Villa, Brown (50), Low (39), Quinn (9), Baker (25), Meiners, Walton, Hoskins, Bland, Talboy, Curls, Spreng, McClanahan, Lowe (44), Lampe, Storch, Rucker, Chappelle-Nadal, Daus, Dougherty and Oxford, relating to the creation of a death penalty commission.

HB 446, introduced by Representatives Deeken, McGhee, Schad, Bivins, Meadows and Wallace, relating to the reduction of alcohol-related problems.

HB 447, introduced by Representatives Schaaf, Denison, Dougherty, Onder, Kingery and Page, relating to Medicaid services.

HB 448, introduced by Representatives Spreng, Lowe (44), Villa, Dempsey, Smith (14), Pearce, Richard, Page, Meadows, Kratky, Vogt, Bearden, Jetton, Bowman, Hubbard, Meiners, Robinson, Schneider, Bland, Wasson, Nieves, Darrough, Corcoran, Brown (50), Schoemehl, Yaeger, Fallert, Sater, McGhee, Nance, Harris (23), Flook, Liese and Wildberger, relating to sales and use tax exemptions.

HB 449, introduced by Representative Schoemehl, relating to the elimination of the sunset provision of the early intervention program for infants and toddlers with disabilities.

HB 450, introduced by Representatives Baker (25), McClanahan, Roorda, Oxford, Talboy, Komo, Bowman, Rucker, LeVota, Munzlinger, Portwood, Wildberger, Wright-Jones, Hodges and Grill, relating to the Missouri health profession shortage planning commission.

HB 451, introduced by Representatives Baker (25), Low (39), Chappelle-Nadal, Talboy and Wright-Jones, relating to children's mental health.

HB 452, introduced by Representatives Nasheed, Walsh, Wildberger, Dougherty, Burnett, LeVota, Storch, Talboy, Hubbard, El-Amin, Hoskins, Walton, Fallert, Norr, Lampe, Yaeger, Scavuzzo, Quinn (9), Schieffer, Hughes, Hodges, Silvey, Baker (25), Haywood, Meiners, Brown (50), Wright-Jones, Bland, Rucker, George and Donnelly, relating to a tax credit for electric power outage costs.

HB 453, introduced by Representatives Jetton, Bearden, Ruestman, Cooper (120), Nieves, Self, Dixon, Pollock, Wilson (130), Kingery, Bruns, Deeken, Funderburk, May, Wilson (119), Hubbard, St. Onge, Bivins, Silvey, Portwood, Dethrow, Wells, Weter, Sater, Fisher, Scharnhorst, Brandom, Denison, Jones (89), Wright, Franz, Smith (150), Cunningham (86), Day, Flook, Ruzicka, Cox,

Moore, Cunningham (145), Stream, Schoeller, Jones (117), Dusenberg, Roorda, Schad, Whorton, Wood, Wallace, Schlottach, Lipke, Avery, Lembke, Tilley, Scharnhorst, Baker (123), Threlkeld, Faith, Fares, Richard, Hobbs, Frame, Schaaf, Grill, Onder, Casey, Corcoran, Quinn (7), Aull, Cooper (155), Robb, Parson, Grisamore, Kraus, Smith (14), Spreng, Baker (25), Hunter, Nance, Cooper (158), Robinson, Nolte, McGhee, Wasson, Harris (110), Schneider, Page, Munzlinger, Marsh, Stevenson, Wildberger, Komo, Meadows, Bland, Yaeger, Scavuzzo, Villa, Hoskins, Norr, Chappelle-Nadal, Holsman, Dougherty, Wright-Jones, Vogt, Haywood, Meiners, Swinger and Walton, relating to income tax credits for donations to food pantries.

HB 454, introduced by Representatives Jetton, Cunningham (145), Jones (117), Wright, Day, Dusenberg, Silvey, Roorda, Ruestman, Schad, Whorton, Wilson (119), Wood, Wallace, Schlottach, Hubbard, Lipke, Kingery, May, Bruns, Avery, Lembke, Tilley, Scharnhorst, Smith (150), Schoeller, Threlkeld, Bivins, Faith, Richard, Hobbs, Sater, Frame, Schaaf, Grill, Dougherty, Casey, Robb, Parson, Corcoran, Quinn (7), Aull, Cooper (155), Moore, Grisamore, Wells, Kraus, Smith (14), Spreng, Baker (25), Hunter, Nance, Cooper (158), Robinson, Chappelle-Nadal, Nolte, McGhee, Wasson, Harris (110), Schneider, Page, Munzlinger, Marsh, Wilson (130), Stevenson, Wildberger, Meadows, Bland, Yaeger, Scavuzzo, Hoskins, Norr, Holsman, Bandom, Wright-Jones, Vogt, Haywood, Meiners, Swinger and Walton, relating to supplemental food stamp assistance.

HB 455, introduced by Representatives Kraus, Wells, Sater, Dusenberg, Ervin, Walton, Nieves, Nance, Holsman and Cooper (155), relating to real property taxation.

HB 456, introduced by Representatives Kraus, Sater, Dusenberg, McGhee, Ruestman and Holsman, relating to real property taxation.

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

TO: Adam Crumbliss
Chief Clerk

FROM: Michael R. Brown

DATE: January 17, 2007

Please accept my request to withdraw **House Concurrent Resolution No. 7** – the Taiwan Trade agreement Resolution. I was not aware of some of the underlying repercussions of this Resolution. Therefore, I request the withdrawal of **HCR 7**.

Thank you for your assistance with this very important request.

WITHDRAWAL OF HOUSE BILL

January 17, 2007

Chief Clerk Adam Crumbliss
House of Representatives
Capitol Building
Room 306C
Jefferson City, MO 65101

Dear Chief Clerk:

I respectfully request to withdraw **House Bill No. 145** Traffic Safety Task Force.

Sincerely,

/s/ Ray Salva
State Representative
District 51

The following member's presence was noted: Bowman.

ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Thursday, January 18, 2007.

HOUSE CALENDAR

NINTH DAY, THURSDAY, JANUARY 18, 2007

HOUSE BILLS FOR SECOND READING

HB 431 through HB 456

HOUSE RESOLUTION

HCS HR 15, (1-09-07, Pages 75-100) - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

NINTH DAY, THURSDAY, JANUARY 18, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Msgr. Donald W. Lammers.

Lord God, as we conclude the ninth day of this 94th Session of the General Assembly, we have begun to use the dimensions of authority given us through our election to this body. We remember Your holy word:

"Let every person be subordinate to the higher authority, for there is no authority except from God, and those that exist have been established by God." (Romans 13:1)

Almighty God, when we feel the authority that is ours and when we use it, may we also feel humble, remembering, *"there is no authority except from You."* Help us, by Your grace, to be very conscientious in using our authority, because in using it we are responsible to You.

May Your Holy Spirit remind us to pray often about these matters, for You are the one in whom all authority rests, our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Don Stauffer and Michel Drehle.

The Journal of the eighth day was approved as printed.

SPECIAL RECOGNITION

The Blair Oaks Falcons Football Team was introduced by Representative Bruns and recognized for attaining the 2006 Class 2 Football State Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 165 through House Resolution No. 192

HOUSE CONCURRENT RESOLUTIONS

Representative Walton, et al., offered House Concurrent Resolution No. 12.

Representative Bowman, et al., offered House Concurrent Resolution No. 14.

SECOND READING OF HOUSE BILLS

HB 431 through **HB 456** were read the second time.

HOUSE RESOLUTION

HCS HR 15, relating to the House Rules, was taken up by Representative Dempsey.

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Resolution No. 15, Rule 22, Page 5, Line 43, by inserting after the first occurrence of the word "Speaker." the following:

"The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of special committees."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Villa raised a point of order that pursuant to Rule 6, **HCS HR 15** is not properly before the House.

The Chair ruled the point of order not timely.

On motion of Representative Dempsey, **House Amendment No. 1** was adopted.

Representative Cooper (120) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Resolution No. 15, Rule 25, Page 10, Line 2, by inserting opening and closing brackets around the words "and sponsor"; and

Further amend said resolution, Rule 39, Page 15, Lines 4 and 5, by inserting an opening and closing bracket around the words "No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day."; and

Further amend said resolution, Rule 40, Page 16, Line 25, by inserting after said line the following:

"Timing of Placement on Calendar

Rule 41. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day."; and

Further amend said resolution by renumbering the remaining rules accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 2** was adopted.

Representative Burnett offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Resolution No. 15, Page 7, Section Rule 25(c), Line 8, by deleting the following brackets:

[, according to seniority within each respective party caucus, except that no member shall be forced to give up his/her offices, chamber seat or parking space that he/she currently occupies unless such office, chamber seat or parking space is re-assigned by the committee to the members of the opposite party. Notwithstanding any provision of this rule to the contrary, the committee may make assignments to]."; and

Further amend by deleting the following:

"The committee may make assignments to the party caucuses for those caucuses to assign to their respective members. The"; and

Further amend by deleting the following:

"shall have priority with respect to such assignment within their respective caucuses.".

Representative Burnett moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:.

AYES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hughes
Komo	Kratky	Kuessner	Lampe	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

NOES: 092

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf

Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brown 30	Franz	Johnson	LeVota
Liese	Meadows	Skaggs		

Representative Donnelly offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Resolution No 15, Page 9, Rule 25, Lines 2-3, by deleting "[to recommit] **adopted by the members**" and replacing with "**to recommit**".

Representative Donnelly moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hughes
Komo	Kratky	Kuessner	Lampe	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

NOES: 092

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf

Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brown 30	Franz	Johnson	LeVota
Liese	Meadows	Page	Skaggs	

Representative Harris (110) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Resolution No. 15, Page 3, Rule 9, Lines 40-41, by deleting the words:

"It shall be at the Speaker's discretion whether members may speak on points of order."

Representative Harris (110) moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Dempsey, **HCS HR 15, as amended**, was adopted by the following vote:

AYES: 095

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Rucker	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Young	Mr Speaker

NOES: 059

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Komo
Kratky	Kuessner	Lampe	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Quinn 9	Robinson	Roorda	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brown 30	Franz	Johnson	LeVota
Liese	Meadows	Page	Skaggs	

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 13, introduced by Representatives McGhee, Jetton, Bearden, Self, Ruestman, Icet, Sutherland, Schoeller, Dixon, Kelly, Stream, Day, Nance, Richard, Smith (150), Deeken, Muschany, Portwood, Lembke, Davis, Nieves, Dusenberg, Schad, Fisher, Wright, Pratt, Hunter, Denison, Ervin, Baker (123), Tilley, Parson, Dempsey, Smith (14), Jones (117), Kraus, Grisamore, Pearce, Hobbs, Robb, Nolte, Onder, Wilson (130), Thomson, Quinn (7), Sander, Threlkeld, Cooper (158), Brandom, Silvey, Munzlinger, Wood, Schlottach, Loehner, Viebrock, Wallace, Cunningham (145), Dethrow, Ruzicka, Sater, Faith, Kingery, Wells and Schneider, disapproving the amount of increase in compensation for public officials as recommended by the Missouri Citizen's Commission on Compensation for Elected Officials.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 9, introduced by Representatives Dethrow, Sander, Robb, Dougherty, Ervin, Ruestman, Wilson (119), Weter, Fisher, Wallace and Sater, relating to bird, fish, game, wildlife, or forestry resources.

HJR 10, introduced by Representatives Baker (123), Flook, Thomson, Wallace, Pratt, Nance, Bivins, Nolte, Schlottach, Wilson (119), McGhee, Weter, Pearce, Loehner, Whorton, Aull, Sater, Corcoran, Meadows, Robinson, Ruzicka, Jones (117), Kraus, Fisher, Robb, Smith (150), Sander, Deeken, Quinn (7), Dougherty and Schoeller, relating to bonded indebtedness of school districts.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 457, introduced by Representatives Sutherland, Wilson (119), Wright-Jones, Corcoran, Moore, Whorton, Brown (30), Wells, Muschany, Wood, Bivins, McGhee, Robb, Dusenberg, Sater, Ruestman, Dougherty, Page and Wallace, relating to the senior citizens' homestead tax relief act.

HB 458, introduced by Representatives Sutherland, Hunter, Parson, Bivins, Wilson (119), Sater, Dougherty and Robb, relating to annual franchise taxes.

HB 459, introduced by Representatives Sutherland and Quinn (9), relating to municipal land transfers.

HB 460, introduced by Representative Loehner, relating to the transition period for elected officials.

HB 461, introduced by Representatives Cooper (155), Moore, Kuessner, Skaggs, Day, Jones (117), Schad, Threlkeld, Dethrow, Sander, Pollock, Robb, Wells, Parson, Stevenson, Wilson (130), Kingery, Lembke, Portwood, Weter, Wood, Pearce, Ervin, Self, Bringer, Schlottach, Smith (150), Schoeller, Hobbs, Tilley, Bandom, Wallace, Loehner, Whorton, Jones (89), Richard, Hubbard, Fisher, Nolte, Cunningham (86), Casey, Brown (50) and Dusenberg, relating to the water patrol.

HB 462, introduced by Representatives Munzlinger, Dougherty, Sander, Fisher, McGhee, Sater, Dusenberg, Moore, Smith (150), Wells, Meadows and Franz, relating to the criminal justice system.

HB 463, introduced by Representatives Schaaf and Cooper (155), relating to ethical vaccines.

HB 464, introduced by Representative Pollock, relating to qualifications of certain mayors.

HB 465, introduced by Representatives Wilson (119), Dethrow, Kuessner, Fisher, Wilson (130), Wood, Parson, Jones (117), Munzlinger, Schad, Meadows, Wallace, Kelly, Viebrock, Nolte, Threlkeld, Loehner, Quinn (7), Cooper (120), Wells, Cunningham (145), Pollock, Franz, Self, Smith (150), Emery, Sater, Whorton, Sander, Frame, Day and Hobbs, relating to all-terrain vehicles.

HB 466, introduced by Representatives Schaaf, Denison, Page, Ervin, Hunter and Bivins, relating to certificate of need.

HB 467, introduced by Representative Cox, to authorize the conveyance of property owned by the state in Pettis County to the Girl Scouts-Heart of Missouri Council, Inc.

HB 468, introduced by Representatives Wallace, Day, Wilson (130), Loehner, Baker (123), Smith (150), Dixon, Nance, Baker (25), Weter, Schad, Whorton, Munzlinger, Moore, Roorda, Dethrow, Sater, Kuessner, Bivins, Wells, Cooper (158), Nolte, Grill, Sander, Flook, Fisher, Schneider, Walton, Quinn (7), Deeken, Wood, Aull, Wilson (119), Meadows, Corcoran, Komo, Ervin, Franz, Kelly, Tilley, Kingery, Viebrock, May and Emery, relating to a motor fuel tax exemption for school districts.

HB 469, introduced by Representatives Wallace, Wilson (130), Muschany, Baker (123), Smith (150), Dixon, Nance, Schad, Whorton, Munzlinger, Roorda, Dethrow, Sater, Kuessner, Bivins, Wilson (119), Cooper (158), Nolte, Sander, Fisher, Schneider, Walton, Day, Quinn (7), Deeken, Wood, Aull, Loehner, Emery, Moore, Ervin, Franz, Thomson, Kelly, Tilley, Muschany, Kingery, Pearce, Threlkeld, Weter, Viebrock and May, relating to liability for school employees and volunteers.

HB 470, introduced by Representatives Flook, Jones (89), Donnelly and Grill, relating to child custody jurisdiction and enforcement.

HB 471, introduced by Representatives Flook, Jones (89), Donnelly and Grill, relating to the uniform premarital agreement act.

HB 472, introduced by Representatives Flook, Nance, Jones (89), Donnelly and Grill, relating to the interstate family support act.

HB 473, introduced by Representatives Burnett and Grill, relating to the unauthorized practice of law.

HB 474, introduced by Representative Burnett, relating to garnishment.

HB 475, introduced by Representatives Burnett, Harris (23), Page, Grill, Bringer, Zimmerman and Flook, relating to attorneys as notaries.

HB 476, introduced by Representatives Burnett, Yaeger, Wildberger and Grill, relating to debt-management services.

HB 477, introduced by Representatives Dethrow, Self, Wilson (119), Munzlinger, Loehner, Sater, Hunter, Weter, Schad, Wells, Nieves, Cooper (155), Fisher, Day and Harris (110), relating to an exemption from state and local sales and use taxes for agricultural fencing.

HB 478, introduced by Representatives Dethrow, Kelly, Franz, Wilson (119), Fisher, Wallace, Wood, Loehner, Day, Schlottach, Smith (150), Whorton, Dougherty, Harris (110), Jones (117), Ruestman, Wells, Weter and Sander, relating to the national animal identification system.

HB 479, introduced by Representatives Darrough, Corcoran, Spreng, Zweifel, Zimmerman, Wildberger, St. Onge, Kuessner, Walsh, Harris (110), Bivins and Munzlinger, relating to alternative fuel and alternative fuel vehicles.

HB 480, introduced by Representatives Roorda, Wildberger, Norr and Bruns, relating to board members of fire protection and ambulance districts.

HB 481, introduced by Representative Sutherland, relating to the commissioner's advisory council.

HB 482, introduced by Representatives Walton, Moore, Curls, Walsh, Yaeger, Bringer, Swinger, Harris (110), Zweifel, Schieffer and Roorda, relating to counterfeiting.

HB 483, introduced by Representatives Schaaf, Page, Cooper (155), Baker (25), Sander, Hoskins and Onder, relating to use of lasers and pulse light sources.

HB 484, introduced by Representatives Hughes, Hubbard, Lowe (44), Rucker, Wright-Jones, Corcoran, Burnett, Hoskins, Talboy and Bowman, relating to the Missouri Universal Health Insurance Act.

HB 485, introduced by Representatives Hughes, Wallace, Burnett, Oxford, Frame, Wildberger, Weter, Meiners, Rucker, Brown (50), Lowe (44), Corcoran, Low (39), Hoskins, Talboy and Bowman, relating to title loans.

HB 486, introduced by Representatives Hughes, Burnett, Oxford, Frame, Wildberger, Sater, Rucker, Brown (50), Lowe (44), Corcoran, Hoskins, Hubbard and Bowman, relating to the labeling of food.

HB 487, introduced by Representatives Cooper (120), Parson, Schneider, Dempsey, Sutherland, Moore, Schlottach, Threlkeld, Faith, Jones (89), Scharnhorst, Richard, Hunter, Hobbs, Funderburk, Yates, Jones (117), Schad, McGhee and Deeken, relating to the Missouri county planning act.

HB 488, introduced by Representative Wasson, relating to a tax credit for the use of idle reduction technology.

HB 489, introduced by Representatives Baker (123), Dixon, Jones (117), Threlkeld, Wallace, Flook, Fisher, Robb, Sander, Deeken, Spreng, Chappelle-Nadal, McGhee, Harris (110), Wilson (119) and Storch, relating to gifted education.

HB 490, introduced by Representatives Baker (123), Yates, Wallace, Quinn (7), McGhee, Cooper (158), Roorda, Salva, Meadows, Bowman, Burnett, Brown (50), Storch, Harris (110), Oxford, Daus and Kratky, relating to the selling of scrap metal.

HB 491, introduced by Representative Baker (123), relating to state buildings.

HB 492, introduced by Representative Baker (123), relating to vital records.

HB 493, introduced by Representative Baker (123), relating to child support.

HB 494, introduced by Representatives McGhee, Sater, Scharnhorst, Denison, Moore, Robb, Curls, Guest, Schaaf, Schad, Wallace and Sander, relating to utility payments.

HB 495, introduced by Representatives McGhee, Whorton, Sater, Moore, Robb, Wright, Wallace, Sander and Curls, relating to the Missouri state park board.

HB 496, introduced by Representatives McGhee, Sater, Chappelle-Nadal, Sander and Brown (50), relating to the establishment of community health districts.

HB 497, introduced by Representatives Sater, Day, Portwood, Fisher, Robb, Meiners, Hunter, Weter, Whorton, Dougherty, Wood, Wasson, Tilley, Wallace, Wells, Smith (150) and Dixon, relating to physician assistants.

HB 498, introduced by Representatives Robb, Hubbard, Cunningham (86), Hoskins, Jetton, Bearden, Dempsey, Dougherty, Icet, Meiners, Ruestman, Villa, Nieves, Hughes, Cooper (120), Muschany, Hunter, El-Amin, Stevenson, Jones (117), Scharnhorst, Emery, Davis, Schaaf, Cooper (158), Portwood, Nolte, Onder, Schoeller and Cooper (155), relating to educational tax credits.

COMMITTEE ASSIGNMENTS

ADMINISTRATION AND ACCOUNTS

Kenny Jones - Chair

Mike McGhee - Vice Chair

Shannon Cooper

Mike Cunningham

Gary Dusenberg

AGRICULTURE POLICY

John Quinn - Chair

Billy Pat Wright - Vice Chair

Tom Loehner

Bob Nance

Therese Sander

Charlie Schlottach

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Mike Dethrow - Chair

Jim Viebrock - Vice Chair

Ellen Brandom

Barney Fisher

Brian Munzlinger

Rodney Schad

APPROPRIATIONS - EDUCATION

Kathlyn Fares - Chair

Brian Baker - Vice Chair

Ed Robb

Rick Stream

Mike Thomson

Kevin Wilson

APPROPRIATIONS - GENERAL ADMINISTRATION

Jim Lembke - Chair

Nathan Cooper - Vice Chair

Steve Hobbs

Scott Lipke

Ryan Silvey

Billy Pat Wright

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

David Sater - Chair

Ray Weter - Vice Chair

Wayne Cooper

Jeff Grisamore

Rob Schaaf

Bryan Stevenson

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Danielle Moore - Chair

Therese Sander - Vice Chair

Mark Bruns

Tim Jones

Jerry Nolte

David Pearce

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Charlie Schlottach - Chair

Don Wells - Vice Chair

Mike Cunningham

Doug Funderburk

Tom Loehner

Jay Wasson

BUDGET

Allen Icet - Chair

Ed Robb - Vice Chair

Mike Cunningham

Mike Dethrow

Kathlyn Fares

Steve Hobbs

Jim Lembke

Danielle Moore

David Sater

Rob Schaaf
Charlie Schlottach
Ryan Silvey
Bryan Stevenson
Rick Stream

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Steve Hobbs - Chair

Don Ruzicka - Vice Chair
Doug Funderburk
Tom Loehner
Bob May
John Quinn
Dennis Wood

CORRECTIONS AND PUBLIC INSTITUTIONS

Van Kelly - Chair

Jim Avery - Vice Chair
Ward Franz
Jim Guest
Kenny Jones

CRIME PREVENTION AND PUBLIC SAFETY

Mark Bruns - Chair

Stan Cox - Vice Chair
Gary Dusenberg
Scott Lipke
Bob Onder
Don Ruzicka

ELECTIONS

Bob May - Chair

Stan Cox - Vice Chair
Jane Cunningham
Cynthia Davis
Bill Deeken
Jim Viebrock

ELEMENTARY AND SECONDARY EDUCATION

Jane Cunningham - Chair

Rodney Schad - Vice Chair

Gary Dusenberg

Gayle Kingery

Ed Robb

Rick Stream

Maynard Wallace

ETHICS

Tom Dempsey - Chair

Bryan Pratt

Vicki Schneider

Tom Self

FISCAL REVIEW

Jim Guest - Chair

Sally Faith - Vice Chair

Bob Dixon

Brian Nieves

Darrell Pollock

Don Wells

HEALTH CARE POLICY

Wayne Cooper - Chair

Cynthia Davis - Vice Chair

Jim Guest

David Sater

Rob Schaaf

Rodney Schad

HIGHER EDUCATION

Gayle Kingery - Chair

David Pearce - Vice Chair

Carl Bearden

Kathlyn Fares

Mike Thomson

INSURANCE POLICY

Brian Yates - Chair

Jim Avery - Vice Chair

Bob Dixon

Sally Faith

Bob Nance

Jay Wasson

Kevin Wilson

JUDICIARY

Bryan Pratt - Chair

Tim Flook - Vice Chair

Timothy Jones

Scott Lipke

Bryan Stevenson

Brian Yates

LOCAL GOVERNMENT

Vicki Schneider - Chair

Joe Smith - Vice Chair

Jason Brown

Charlie Denison

Jerry Nolte

Neal St. Onge

Kevin Threlkeld

RULES

Shannon Cooper - Chair

Tom Dempsey - Vice Chair

Carl Bearden

Mike Parson

Ron Richard

TRANSPORTATION

Neal St. Onge - Chair

Sally Faith - Vice Chair

Charlie Denison

Brian Munzlinger

John Quinn

Joe Smith

WAYS AND MEANS

Mike Sutherland - Chair

Dwight Scharnhorst - Vice Chair

Bob Onder

Neal St. Onge

Kevin Threlkeld

WITHDRAWAL OF HOUSE BILLS

January 18, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Adam:

Because of a drafting error, I respectfully request that **House Bill No. 390**, which changes various provisions relating to state officer and state employee retirement, be withdrawn.

Thank you for your consideration of my request.

Sincerely,

/s/ Tom Dempsey

January 18, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Adam:

Because of a drafting error, I respectfully request that **House Bill No. 394**, which allows for the creation of a trust fund for state retiree health care within the Missouri State Employees' Retirement System, be withdrawn.

Thank you for your consideration of my request.

Sincerely,

/s/ Tom Dempsey

January 18, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Adam:

Because of a drafting error, I respectfully request that **House Bill No. 395**, which allows for retirees to receive additional annuities if the retiree is reemployed to any state office and accrues creditable or credited service continuously for at least one year, be withdrawn.

Thank you for your consideration of my request.

Sincerely,

/s/ Tom Dempsey

The following member's presence was noted: Meadows.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, January 22, 2007.

HOUSE CALENDAR

TENTH DAY, MONDAY, JANUARY 22, 2007

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 13

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 9 and HJR 10

HOUSE BILLS FOR SECOND READING

HB 457 through HB 498

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 22, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, we thank You that Your life-giving Spirit rests upon us; Your very Presence that brings wisdom and understanding, that gives direction and builds strength, that instills knowledge and the Fear-of-GOD.

We thank You for breaths of fresh air: a time of introspection, a time of calm reflection, a time to refocus.

We thank You that when frustration invades our minds, when our hearts are in turmoil, You quiet us and give us renewed hope and cheer.

May Your plan and purpose, for this Assembly, be our most prized pursuit throughout this week. May it be established in this place and in our lives.

Now may Your grace abide with us all through this week.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as printed by the following vote:

AYES: 134

Aull	Baker 25	Baker 123	Bearden	Bivins
Bowman	Brandom	Bringer	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson

Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 018

Burnett	Daus	Donnelly	George	Harris 23
Holsman	LeVota	Low 39	Lowe 44	Oxford
Quinn 9	Schieffer	Skaggs	Talboy	Todd
Vogt	Walsh	Witte		

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 010

Avery	Bland	Brown 30	Dougherty	Frame
Haywood	Hughes	Kratky	Liese	Sater

HOUSE RESOLUTION

Representative Scharnhorst offered House Resolution No. 232.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 193 through House Resolution No. 231
House Resolution No. 233 through House Resolution No. 235

HOUSE CONCURRENT RESOLUTION

Representative Threlkeld, et al., offered House Concurrent Resolution No. 15.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 13 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 9 and **HJR 10** were read the second time.

SECOND READING OF HOUSE BILLS

HB 457 through **HB 498** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 13 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 15 - Budget
HB 73 - Transportation
HB 92 - Crime Prevention and Public Safety
HB 123 - Judiciary
HB 166 - Elections
HB 167 - Transportation
HB 211 - Crime Prevention and Public Safety
HB 214 - Elementary and Secondary Education
HB 235 - Corrections and Public Institutions
HB 268 - Corrections and Public Institutions
HB 301 - Crime Prevention and Public Safety
HB 469 - Elementary and Secondary Education

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 11, introduced by Representatives Lembke, Bearden, Sander, Moore, Onder, Davis, Emery, Dixon, Nieves, Wood, Portwood, Day, Brown (30), Schoeller, Munzlinger, Bivins, Smith (150), Deeken, Baker (123), Cooper (155), McGhee, Denison, Icet, Muschany, Kelly, Jones (89), Cox, Ruzicka, Franz, Wright, Loehner, Fisher, Kingery, Schad, Funderburk, Wells, Pollock, Viebrock, Harris (110), Quinn (9), Stevenson, Bruns, Schieffer, Scharnhorst, Quinn (7), Sutherland, Faith and Jones (117), relating to human cloning.

HJR 12, introduced by Representatives Emery, Fisher, Wilson (130), Bivins, Davis, Ervin, Lembke, Nieves, Robb, Sater, Brown (30), Cox, Nolte, Ruestman, Smith (14), Sander, Schoeller, Moore, Jones (117), Schad, Cooper (158), Thomson, Day, Funderburk, Wallace, Tilley, Deeken, Baker (123), Bearden, Schaaf, Bruns, Onder, Brandom, Ruzicka, Grisamore, Self, Pollock, Viebrock, Wasson, Wood, Munzlinger, Dixon, Dempsey, Denison, Threlkeld, Kelly, Wells, May, Scharnhorst, Faith, Cooper (155), Dethrow, Muschany, Stream, Dusenberg, Loehner, Nance, Richard and Hunter, relating to impeachment trials.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 499, introduced by Representatives Dusenberg, Sater, Moore and Brown (50), relating to the Missouri state highway patrol.

HB 500, introduced by Representative Yates, relating to the deceptive use of a financial institution's name.

HB 501, introduced by Representative Tilley, relating to time off from work for spouses of deployed soldiers.

HB 502, introduced by Representatives Deeken, Sater, Moore and Wallace, relating to establishing junior college districts.

HB 503, introduced by Representatives Portwood, Dempsey, Bearden, Wilson (119), Parson, Nieves, Davis, Chappelle-Nadal, Sander, Low (39), Harris (110), Oxford, Meiners, Dixon, Moore, Emery, Lembke, Viebrock, Kelly, Schad, Dougherty, Fisher, McGhee, Loehner, Faith, Jetton, Komo, Dethrow, Hubbard, Self, Vogt, Walton, Wells, Kingery, Jones (117), Deeken, Hoskins, El-Amin and Wallace, relating to the practice of midwifery.

HB 504, introduced by Representatives Daus, Kratky, Villa, Young, Schneider, McGhee, Casey, Spreng, Wood, Viebrock, Stevenson, Loehner, Wallace, Munzlinger, Chappelle-Nadal and Wright-Jones, relating to landlord-tenant actions.

HB 505, introduced by Representatives Bivins, Munzlinger, Lembke, Fisher, Dougherty, Sater, Sander, Moore, Schneider, Guest, Grill and Holsman, relating to alternative fuels.

HB 506, introduced by Representatives Bivins, Muschany, Bowman, Ruestman, Walton, Yaeger, McGhee, Dusenberg and Moore, relating to a homestead exemption for senior citizens and disabled persons.

HB 507, introduced by Representative Sutherland, relating to motor vehicle operation.

HB 508, introduced by Representative Schaaf, relating to hospital complaint procedures.

HB 509, introduced by Representatives Johnson, Roorda, Yaeger, Harris (110), Wood and Meadows, relating to adoption records.

HB 510, introduced by Representative Lembke, relating to motor vehicle franchise practices.

HB 511, introduced by Representatives Dethrow, Day, Schad, Sater, Fisher, McGhee, Moore, Wallace, Dusenberg, Brandom, Cooper (155), Wilson (119), Wells, Weter, Hobbs and Nolte, relating to license plates.

HB 512, introduced by Representatives Pratt and Yates, relating to the asbestos and silica claims priorities act.

HB 513, introduced by Representatives Roorda and Meadows, relating to a memorial highway designation.

HB 514, introduced by Representatives Roorda and Meadows, relating to a memorial highway designation.

HB 515, introduced by Representatives Salva, LeVota, Brown (50), Lowe (44), Curls, Burnett, Yates, Dusenberg and Kraus, relating to traffic safety task forces.

HB 516, introduced by Representatives Portwood, Bruns, Lembke, Avery, Wood, Jones (89), Dixon, Silvey, Dusenberg, Ruestman, Ervin, Kraus, Meadows, Nolte, Flook, Yates, Weter, Bivins, Cooper (155), McGhee, Cunningham (86) and Sater, relating to The Missouri Homestead Preservation Act.

HB 517, introduced by Representative Hunter, relating to overtime compensation.

WITHDRAWAL OF HOUSE BILL

January 17, 2007

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
House Post Office
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request that **House Bill No. 108** be withdrawn. Thank you for your assistance.

Sincerely,

/s/ Kate Meiners
State Representative
District 46

The following members' presence was noted: Bland and Hughes.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, January 23, 2007.

COMMITTEE MEETINGS

BUDGET

Wednesday, January 24, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 15

BUDGET

Thursday, January 25, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 15

RULES

Tuesday, January 23, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HCR 13

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 23, 2007

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 11 and HJR 12

HOUSE BILLS FOR SECOND READING

HB 499 through HB 517

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 23, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray, first, by listening, listening to a verse from the Hebrew Scriptures.

"The Lord God formed man out of the clay of the ground
and blew into his nostrils the breath of life
and so man became a living being."
(*Genesis 2:7*)

Holy God and Creator of all, we who believe in You learn from this Word that You are the Creator of Life.

We thank You for our own life. It is our most precious possession. In our families many of us are entrusted with the care of the very lives of others. We have accepted this responsibility, and we give thanks for the love and fulfillment we receive in carrying it out.

Almighty God, in our work here, give us the wisdom to carry out a similar responsibility of supporting and caring for the lives of others. In our family and our work, may our faith cause us to remember that You, the Creator of Life, are the Lord of Life.

May we and other leaders in our State and across our Nation make plans, develop legislation, and so govern that we always respect You alone as God and Lord of Life.

We glorify You, our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Hyndman, Andrew Kemna, Ashleigh Mellis, Anthony Orlando, Jessica Stafford and Joshua Ward.

Representative Bruns assumed the Chair.

The Journal of the tenth day was approved as printed by the following vote:

AYES: 153

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120

Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 006

Daus	Flook	Low 39	Lowe 44	Skaggs
Talboy				

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 003

Avery	Brown 30	Liese
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SPECIAL RECOGNITION

The Blue Springs South High School Football Team was introduced by Representatives Dusenberg, Pratt and Yates and recognized for attaining the 2006 Class 6 State Football Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 236 through House Resolution No. 259

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 11 and **HJR 12** were read the second time.

SECOND READING OF HOUSE BILLS

HB 499 through **HB 517** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 11 - Health Care Policy

COMMITTEE REPORT

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 13

AN ACT

Disapproving the amount of increase in compensation for public officials as recommended by the Missouri Citizen's Commission on Compensation for Elected Officials.

WHEREAS, the voters of Missouri approved a constitutional amendment in 1994 which created a commission charged with setting the amount of compensation paid to statewide elected officials, legislators and judges; and

WHEREAS, Article XIII, Section 3 of the Missouri Constitution charges the Missouri Citizen's Commission on Compensation for Elected Officials with setting the amounts of compensation paid to statewide elected officials, legislators, and judges; and

WHEREAS, the Constitution provides the Commission with a four-month window prior to its constitutional deadline for making salary recommendations to hold public hearings around the state to gather testimony related to salaries for affected state officials and to carefully consider whether pay increases are warranted; and

WHEREAS, in 2006, the Commission did not begin work until eleven days before its December 1, 2006, deadline for submitting a report containing salary recommendations; and

WHEREAS, as few as six members of the twenty-two member Commission attended the public hearings at which testimony on salaries for affected officials was given; and

WHEREAS, the Commission recommended pay increases for state judges and statewide elected officials effective July 1, 2007, and pay increases for legislators effective January 1, 2009; and

WHEREAS, Citizens' Commission on Compensation for Elected Officials attempted to compile a fiscally prudent and responsible compensation schedule that would allow for modest, reasonable increases for all persons affected; and

WHEREAS, the Commission believes that the recommendation accomplishes the twin goals of making the commission function again and rectifying the currently dysfunctional pay system for legislators, statewide elected officials, and judges; and

WHEREAS, when considered as an annual percentage over the years that have passed since any of these officials last received any increase, this report's recommended increases amount to less than a 1% increase per year for all offices; and

WHEREAS, the recommendation establishes a system for consistent future increases in the same manner as other State of Missouri employees; and

WHEREAS, the Commission's recommendations shall take effect unless disapproved by the General Assembly through a concurrent resolution process passed by two-thirds majorities in each legislative chamber before February 1, 2007:

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, that the recommendations of the Missouri Citizen's Commission on Compensation of Elected Officials be disapproved.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 13, introduced by Representatives LeVota, Meadows, Baker (25), Robinson and Dougherty, relating to the department of transportation.

HJR 14, introduced by Representative Lembke, relating to the executive department.

HJR 15, introduced by Representative Lembke, relating to the judicial department.

HJR 16, introduced by Representatives Flook, Tilley and Cooper (158), relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 518, introduced by Representative Yates, relating to the tort victims' compensation fund.

HB 519, introduced by Representatives LeVota, Burnett, Roorda, Bowman, Chappelle-Nadal, Wildberger, Meadows, Harris (23), Robinson, Sater, Komo, Dougherty, Grill, Swinger, Corcoran, Darrough, Lampe, Baker (25), Norr, Talboy, Curls, Brown (50), Holsman, Bland and Hughes, relating to Erica and Zayquon's law.

HB 520, introduced by Representatives LeVota, Bowman, Day, Meadows, Harris (23), Robinson, Komo, Sater, Dougherty, Grill, Swinger, Corcoran and Darrough, relating to a tax credit for military-related employees.

HB 521, introduced by Representatives LeVota, Bowman, Chappelle-Nadal, Wildberger, Meadows, Baker (25), Zimmerman, Harris (23), Komo, Robinson, Sater, Dougherty, Swinger, Corcoran and Darrough, relating to the household child protect act.

HB 522, introduced by Representatives LeVota, Bowman, Chappelle-Nadal, Zimmerman, Wildberger, Meadows, Baker (25), Harris (23), Robinson, Dougherty, Oxford, Corcoran and Darrough, relating to monetary contributions to campaigns.

HB 523, introduced by Representatives LeVota, Bowman, Wildberger, Meadows, Robinson, Dougherty, Corcoran and Darrough, relating to tax increment financing agreements.

HB 524, introduced by Representatives LeVota, Meadows, Baker (25), Robinson, Dougherty, Page, Corcoran and Darrough, relating to identity theft protection.

HB 525, introduced by Representatives LeVota, Meadows, Robinson, Sater and Dougherty, relating to repeal of the state safety inspection program.

HB 526, introduced by Representative Pratt, relating to the administrative hearing commission.

HB 527, introduced by Representative Cooper (120), relating to corporate name revisions.

HB 528, introduced by Representatives Donnelly, Lipke, Bringer, Oxford, Grill, Storch, Baker (25), Aull, Sater, Roorda, Zimmerman, Whorton, Lampe, Wildberger, Corcoran, Zweifel, Villa, Burnett, Young, Yaeger, Moore, Robinson, Nasheed, Chappelle-Nadal, Vogt, Witte, Curls, Hodges, Swinger and Page, relating to criminal securities fraud.

HB 529, introduced by Representative Bruns, relating to state aviation trust funds.

HB 530, introduced by Representative Schneider, relating to sale of liquor.

HB 531, introduced by Representatives Smith (150), Day, Dusenberg, Wallace, Sater, Flook, Munzlinger, Schoeller, Sander, Ruzicka, Aull, Brown (50) and Robinson, relating to the career ladder program.

HB 532, introduced by Representatives Cooper (158), Fisher, Lembke, McGhee, Sater, Emery, Wallace, Cooper (155), Funderburk, Dusenberg and Brandom, relating to American studies.

HB 533, introduced by Representatives Walsh, Wildberger, Roorda, Meadows, Young, Frame, Low (39), Oxford, Harris (110), Chappelle-Nadal, George, Meiners, Storch, Spreng, Kratky, Skaggs, Lowe (44), Burnett, Vogt, Darrough, Salva, Schoemehl, McClanahan and Bowman, relating to oversight of public privatization contracts.

HB 534, introduced by Representatives Walsh, Wildberger, Roorda, Corcoran, Hughes, Young, Meadows, Frame, Whorton, Low (39), Oxford, Walton, McGhee, Moore, Harris (110), Chappelle-Nadal, George, Meiners, Storch, Spreng, Kratky, Skaggs, Lowe (44), Burnett, Vogt, Darrough, Salva, Schoemehl, Holsman and Bowman, relating to the safe staffing and quality care accountability acts.

HB 535, introduced by Representatives Walsh, Wildberger, Daus, Harris (110), Walton, Roorda, Corcoran, Hughes, Meadows, Oxford, Chappelle-Nadal, George, Meiners, Storch, Spreng, Frame, Kratky, Lowe (44), Burnett, Vogt, Darrough, Salva, Schoemehl and Holsman, relating to mental health facilities.

HB 536, introduced by Representatives Walsh, Meiners, Daus, Walton, Roorda, Page, Hughes, Robb, McGhee, Harris (110), Sander, George, Lowe (44), Bowman, Skaggs, Vogt and Salva, relating to student athletes.

HB 537, introduced by Representatives Skaggs, Bringer, Harris (110), Kuessner and El-Amin, relating to state buildings.

HB 538, introduced by Representatives Low (39), Dougherty, Bowman, Meadows, Roorda, LeVota, Scavuzzo, Rucker, Donnelly, Haywood and Skaggs, relating to a tax credit for service as a poll worker.

HB 539, introduced by Representatives Low (39), Wildberger, Chappelle-Nadal, Meadows, LeVota, Quinn (9), Scavuzzo, Page and Haywood, relating to spaying and neutering of dogs and cats.

HB 540, introduced by Representatives Low (39), Wildberger, Meadows, Roorda, Frame, LeVota, Quinn (9), Scavuzzo, Kuessner, Rucker, Walsh, Donnelly, Haywood and Skaggs, relating to prohibited acts by appointed public officials.

HB 541, introduced by Representatives Low (39), Wildberger, Dougherty, Harris (110), Bowman, Chappelle-Nadal, Meadows, Wright-Jones, Frame, Schoemehl, LeVota, Quinn (9), Scavuzzo, Rucker, Walsh, Page, Donnelly, El-Amin, Haywood, Skaggs, Lampe, Baker (25) and McClanahan, relating to health insurance coverage for cervical cancer testing.

HB 542, introduced by Representatives Skaggs, LeVota, Low (39), McClanahan, Talboy, Grill, Burnett, Bowman, Komo and Salva, relating to commercial solicitations.

HB 543, introduced by Representatives Cooper (158), Wright, Lipke, Hodges and Brandom, relating to nonpartisan elections.

HB 544, introduced by Representatives Threlkeld, Tilley and Sater, relating to the licensing of pharmacy benefit managers.

HB 545, introduced by Representatives Wasson, Tilley, Sater, Yaeger, Threlkeld, Portwood, Skaggs, Dempsey, Richard, Wells, Muschany and Cooper (155), relating to pharmacists.

HB 546, introduced by Representatives Schaaf, Cooper (155), Onder, Page, Weter, Sander, Denison, Jones (117), Dougherty, Dixon, McGhee, Lampe, Harris (110), Moore, Chappelle-Nadal, Faith and Meiners, relating to jury service.

HB 547, introduced by Representatives Kraus, Yates, Flook, Baker (123), Burnett and Kratky, relating to the registration of copper or aluminum obtained by trade or purchase.

HB 548, introduced by Representatives Chappelle-Nadal, Wildberger, Schaaf, Page, Low (39), Schoemehl, El-Amin, Talboy, McGhee, Hubbard, Brown (50), Rucker and Hoskins, relating to candidate filing requirements.

HB 549, introduced by Representatives Chappelle-Nadal, LeVota, Nance, Salva, Schoemehl, El-Amin, Brown (50), Hubbard, Rucker, Hoskins and Nasheed, relating to dangerous dogs.

HB 550, introduced by Representatives Wilson (119), Munzlinger, Schad, Hobbs, Fisher, Kelly, Deeken, Franz, McGhee, Pollock, Wells, Emery, Cunningham (145), Sander, Viebrock, Nance, Loehner and Quinn (7), relating to exempting certain types of vehicles from registration and licensing laws.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following escort committee to act with a like committee from the House pursuant to **HCR 2**: Senators Gibbons, Shields, Coleman, Rupp, Lager, Goodman, Days, McKenna, Shoemyer and Justus.

COMMITTEE ASSIGNMENTS

ADMINISTRATION AND ACCOUNTS

Joe Fallert
Ray Salva
Ed Wildberger

AGRICULTURE POLICY

Steve Hodges
Rebecca McClanahan
James Whorton
Terry Witte

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Belinda Harris
Paul Quinn
Tom Shively
James Whorton

APPROPRIATIONS - EDUCATION

Rachel Bringer
Steve Hodges
Sara Lampe
Thomas Todd

APPROPRIATIONS - GENERAL ADMINISTRATION

Jonas Hughes
Ray Salva
Ed Schieffer
Juanita Walton

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Judy Baker
Shalonn Curls
Margaret Donnelly
Rebecca McClanahan

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Michael Brown
Jeff Roorda
Jamilah Nasheed
Ed Wildberger

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Brad Robinson
Rachel Storch
Terry Swinger
Robin Wright-Jones

BUDGET

Judy Baker
John Bowman
Shalonn Curls
Margaret Donnelly
Jonas Hughes
Paul LeVota
Rachel Storch
James Whorton
Ed Wildberger

CONSERVATION AND NATURAL RESOURCES

Michael Brown
Bruce Darrough
Albert Liese
Jenee Lowe
Terry Witte

CORRECTIONS AND PUBLIC INSTITUTIONS

Ron Casey
Belinda Harris
Brad Robinson

CRIME PREVENTION AND PUBLIC SAFETY

Bruce Darrough
Tim Meadows
Jamilah Nasheed
Jeff Roorda

ELECTIONS

Michael Brown
Margaret Donnelly
Beth Low
Robin Wright-Jones

ELEMENTARY AND SECONDARY EDUCATION

Joe Aull
Sara Lampe
Luke Scavuzzo
Tom Shively
Terry Swinger

ETHICS

Thomas Villa - Vice Chair
Bruce Darrough
Jeanette Mott Oxford
Terry Witte

FISCAL REVIEW

Joe Fallert
Jonas Hughes
Paul Quinn
Mike Vogt

HEALTH CARE POLICY

Judy Baker
Craig Bland
Sam Komo
J.C. Kuessner

HIGHER EDUCATION

Esther Haywood
Rebecca McClanahan
Sue Schoemehl

INSURANCE POLICY

Tony George
Esther Haywood
Albert Liese
Michael Spreng
Jake Zimmerman

JUDICIARY

Rachel Bringer
John Burnett
Connie Johnson
Ray Salva
Mike Vogt

LOCAL GOVERNMENT

Mike Daus
Trent Skaggs
Michael Talboy
Thomas Villa
Jake Zimmerman

RULES

John Burnett
Connie Johnson
Michael Talboy

TRANSPORTATION

Mike Daus
Joe Fallert
J.C. Kuessner
Tim Meadows

WAYS AND MEANS

Maria Chappelle-Nadal
Rachel Storch
Charles Zweifel

SPECIAL COMMITTEE ON AGRI-BUSINESS

Brian Munzlinger - Chair
Barney Fisher - Vice Chair
Joe Aull
Jim Guest
Steve Hobbs
Van Kelly
Martin Rucker
Terry Swinger
Thomas Todd
Mike Thomson

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Walt Bivins - Chair
Rodney Schad - Vice Chair
Jeff Grisamore
Jason Holsman
Jim Lembke
Scott Muschany
Jeanette Mott Oxford
Martin Rucker
Shane Schoeller
Sue Schoemehl
Tom Shively
Kevin Threlkeld

SPECIAL COMMITTEE ON FAMILY SERVICES

Ward Franz - Chair

Cynthia Davis - Vice Chair

Wayne Cooper

Shalonn Curls

Doug Ervin

Mike McGhee

Beth Low

Jeanette Mott Oxford

Therese Sander

Patricia Yaeger

SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS

Mike Cunningham - Chair

Dwight Scharnhorst - Vice Chair

Nathan Cooper

Stan Cox

Talibdin El-Amin

Tim Jones

Jamilah Nasheed

Michael Spreng

Steve Tilley

Terry Young

SPECIAL COMMITTEE ON GENERAL LAWS

Steven Tilley - Chair

Mike Parson - Vice Chair

Shannon Cooper

Michael Frame

Steve Hunter

Beth Low

Brad Robinson

Dwight Scharnhorst

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Bill Deeken - Chair

Ryan Silvey - Vice Chair

Michael Corcoran

Curt Dougherty

Kate Meiners

Neal St. Onge

Mike Sutherland

Maynard Wallace

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Rob Schaaf - Chair

Steve Tilley - Vice Chair
Ellen Brandom
Curt Dougherty
Steve Hunter
Gayle Kingery
Sam Page
Michael Talboy

SPECIAL COMMITTEE ON HEALTH INSURANCE

Kevin Wilson - Chair

Will Kraus - Vice Chair
Craig Bland
Rodney Hubbard
Sam Page
Chuck Portwood
Therese Sander
David Sater

SPECIAL COMMITTEE ON IMMIGRATION

Jerry Nolte - Chair

Bob Onder - Vice Chair
Maria Chappelle-Nadal
Ed Emery
Tim Flook
Brian Nieves
Sue Schoemehl
Juanita Walton

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Ron Richard - Chair

Jason Smith - Vice Chair
Michael Brown
Michael Corcoran
Tim Flook
Rodney Hubbard
Fred Kratky
Will Kraus
Mike McGhee
David Pearce
Shane Schoeller
Michael Spreng

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Jay Wasson - Chair

Marilyn Ruestman - Vice Chair

Bob Dixon

Curt Dougherty

Talibdin El-Amin

Fred Kratky

Sam Page

Mike Parson

Charles Portwood

Jason Smith

Don Wells

Terry Young

SPECIAL COMMITTEE ON RETIREMENT

Maynard Wallace - Chair

Jim Viebrock - Vice Chair

Barney Fisher

Ward Franz

Esther Haywood

Sara Lampe

Danie Moore

Patricia Yaeger

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Larry Wilson - Chair

Ray Weter - Vice Chair

Brian Baker

John Bowman

Rachel Bringer

Bob May

Marilyn Ruestman

Ed Schieffer

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Bob Nance - Chair

Ray Weter - Vice Chair

Jim Avery

Maria Chappelle-Nadal

Charlie Norr

Kate Meiners

Martin Rucker

Marilyn Ruestman

Kevin Wilson

Dennis Wood

SPECIAL COMMITTEE ON SMALL BUSINESS

Doug Ervin - Chair

Jeff Grisamore - Vice Chair

Jane Cunningham

Shalonn Curls

Michael Frame

Doug Funderburk

Jason Grill

Luke Scavuzzo

Vicki Schneider

Rick Stream

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Darrell Pollock - Chair

David Day - Vice Chair

Wayne Cooper

Belinda Harris

Don Ruzicka

Maynard Wallace

Regina Walsh

Charles Zweifel

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Scott Muschany - Chair

Ed Robb - Vice Chair

Carl Bearden

Michael Corcoran

Tim Flook

Theodore Hoskins

Jonas Hughes

Steve Hunter

SPECIAL COMMITTEE ON TAX REFORM

Bryan Stevenson - Chair

Larry Wilson - Vice Chair

Ellen Brandom

Ed Emery

Sally Faith

Jason Grill

Jason Holsman

Theodore Hoskins

SPECIAL COMMITTEE ON TICKET TO WORK

Charles Portwood - Chair

Ellen Brandom - Vice Chair

Jason Holsman

Jenee Lowe

Darrell Pollock

Rob Schaaf

Thomas Todd

Larry Wilson

SPECIAL COMMITTEE ON TOURISM

B.J. Marsh - Chair

Dennis Wood - Vice Chair

Bill Deeken

Charlie Denison

Doug Ervin

Kathlyn Fares

Tony George

Theodore Hoskins

Kate Meiners

Thomas Villa

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Theodore Hoskins - Chair

Jonas Hughes - Vice Chair

Brian Baker

Nathan Cooper

Rodney Hubbard

Charles Portwood

Kate Meiners

Scott Muschany

Ryan Silvey

SPECIAL COMMITTEE ON URBAN ISSUES

Rodney Hubbard - Chair

Talibdin El-Amin - Vice Chair

Walt Bivins

Nathan Cooper

Scott Muschany

Jamilah Nasheed

Bryan Pratt

Brian Yates

SPECIAL COMMITTEE ON UTILITIES

Ed Emery - Chair

Will Kraus - Vice Chair

Tony George

Paul LeVota

Ron Richard

Shane Schoeller

Trent Skaggs

Joe Smith

Jim Viebrock

Regina Walsh

Billy Pat Wright

Jake Zimmerman

SPECIAL COMMITTEE ON VETERANS

David Day - Chair

Barney Fisher - Vice Chair

Walt Bivins

Jason Brown

Ron Casey

Sam Komo

Charlie Norr

Joe Smith

Juanita Walton

Billy Pat Wright

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND
WORKPLACE SAFETY**

Steve Hunter - Chair

Mike Thomson - Vice Chair

Mike Cunningham

David Day

Mike Dethrow

Barney Fisher

Steve Hodges

Van Kelly

Jenee Lowe

Thomas Todd

Regina Walsh

Terry Young

COMMUNICATIONS

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Joe Smith from the Transportation Committee and appoint Representative Bob Onder in his place.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Capital Improvements and Leases Oversight:

Representative Allen Icet
Representative Nathan Cooper
Representative Jim Lembke

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby reappoint the following members to serve on the Joint Committee on Corrections:

Representative Danielle Moore
Representative Mark Bruns
Representative Van Kelly

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Court Automation:

Representative Jason Smith
Representative Bryan Pratt

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Education:

Representative Scott Muschany
Representative Ed Robb
Representative Rodney Schad
Representative Maynard Wallace

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Government Accountability:

Representative Nathan Cooper
Representative Doug Ervin
Representative Sally Faith
Representative Darrell Pollock

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby reappoint the following members to serve on the Joint Committee on Tax Policy:

Representative Shannon Cooper
Representative Bryan Stevenson
Representative Mike Sutherland

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Terrorism, Bioterrorism and Homeland Security:

Representative Mark Bruns
Representative Robert Wayne Cooper
Representative David Day
Representative Gary Dusenberg

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Transportation Oversight:

Representative Charles Denison
Representative Sally Faith
Representative Neal St. Onge
Representative Charles Schlottach

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby reappoint the following members to serve on the Joint Committee on Wetlands:

Representative Brian Munzlinger
Representative Dennis Wood
Representative Billy Pat Wright

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby reappoint the following members to serve on the Missouri Job Training Joint Legislative Oversight Committee:

Representative Walt Bivins
Representative Steve Hunter

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 620.455, RSMo, I hereby reappoint Representative Maynard Wallace to the Tourism Commission.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

WITHDRAWAL OF HOUSE BILL

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
House Post Office
Jefferson City, MO 65101

Dear Adam:

I respectfully request that **House Bill No. 311** which I filed recently, be withdrawn. Thank you for your assistance.

Sincerely,

/s/ Kevin Threlkeld

ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Wednesday, January 24, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Wednesday, January 24, 2007, 12:00 p.m. Hearing Room 1.
Organizational meeting

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 24, 2007, 12:30 p.m. Hearing Room 3.
Office of Administration leasing overview.
Organizational meeting.

BUDGET

Wednesday, January 24, 2007, 8:15 a.m. Hearing Room 3.
Executive session may follow.
Public hearing to be held on: HB 15

BUDGET

Thursday, January 25, 2007, 8:15 a.m. Hearing Room 3.
Executive session may follow.
Public hearing to be held on: HB 15

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, January 24, 2007, 3:30 p.m. Senate Lounge.
Meeting will begin upon adjournment of Economic Development or 3:30 p.m., whichever is latest.
Department of Health and Senior Services - Regulation and Licensure -
Residential Care and Assisted Living.

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 24, 2007

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 13 through HJR 16

HOUSE BILLS FOR SECOND READING

HB 518 through HB 550

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 13, (1-23-07) - McGhee

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWELFTH DAY, WEDNESDAY, JANUARY 24, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

LORD God Almighty, none is as mighty as You; in all things You are faithful.

As we begin our day with over crowded schedules, many seeking our audience, hearing and being heard - we pause to reflect on the priorities of life:

A loving God whose mercies are new every morning: May we receive them gladly.

Loving families who support us in our endeavors: May Your grace be sufficient for their daily journeys.

Needy constituents whose lives hinge on the laws established in this House: Grant us wisdom beyond our years, experience or intellect, that we may make just laws - honoring their trust in us.

Grant us insight and patience that we may not forget or ignore what are the priorities of life as we fulfill our present day callings.

Now may Your Presence be evident among us each moment of this day.

We give thanks for these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Donnie Hays and Juliana Hays.

The Journal of the eleventh day was approved as printed.

SPECIAL RECOGNITION

The West Plains R-VII Lady Zizzers Cross Country Team was introduced by Representative Franz and recognized for attaining the 2006 Class 3A State Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 260 through House Resolution No. 266

House Resolution No. 268 through House Resolution No. 287

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 13 through **HJR 16** were read the second time.

SECOND READING OF HOUSE BILLS

HB 518 through **HB 550** were read the second time.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 13, relating to compensation for public officials, was taken up by Representative McGhee.

Representative Villa raised a point of order that **HCR 13** is out of order pursuant to Rule 41.

The Chair ruled the point of order not well taken.

Representative Cooper (120) assumed the Chair.

The Chair suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 138

Aull	Baker 123	Bearden	Bivins	Bland
Bowman	Bringer	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 117	Kelly	Kingery
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 150	Stevenson
St. Onge	Storch	Stream	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells

Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 006

Daus	Haywood	Low 39	Talboy	Vogt
Wright-Jones				

PRESENT: 007

Darrough	Komo	Lowe 44	Schoemehl	Smith 14
Spreng	Whorton			

ABSENT WITH LEAVE: 012

Avery	Baker 25	Brandom	Brown 30	Cooper 120
Donnelly	Franz	Hughes	Jones 89	Liese
Roorda	Sutherland			

On motion of Representative McGhee, **HCR 13** was read the third time and passed by the following vote:

AYES: 118

Aull	Baker 123	Bearden	Bivins	Brandom
Bruns	Casey	Chappelle-Nadal	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Lipke	Loehner	Low 39	Marsh	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	St. Onge	Storch	Stream
Sutherland	Thomson	Threlkeld	Tilley	Todd
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 037

Bland	Bowman	Brown 50	Burnett	Cooper 120
Cooper 155	Corcoran	Curls	Darrough	Daus
Dougherty	El-Amin	Fares	Haywood	Hoskins
Hubbard	Hughes	Johnson	Lowe 44	May
Meiners	Rucker	Salva	Spreng	Stevenson

Swinger	Talboy	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young			

PRESENT: 002

Bringer	George
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ABSENT WITH LEAVE: 006

Avery	Baker 25	Brown 30	Donnelly	Liese
Roorda				

Representative Cooper (120) declared the resolution passed.

MOTION

Representative Dempsey moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 137

Aull	Baker 123	Bearden	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Kratky	Kraus	Kuessner	Lampe
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 020

Burnett	Darrough	Daus	George	Harris 23
Haywood	Hughes	Komo	LeVota	Low 39
Lowe 44	Scavuzzo	Schieffer	Skaggs	Talboy
Vogt	Walton	Whorton	Wildberger	Wright-Jones

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Baker 25	Brown 30	Donnelly	Lembke
Liese				

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 543 - Rules

COMMITTEE REPORT

Committee on Budget, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 17, introduced by Representative Schoemehl, relating to school district bond elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 551, introduced by Representatives Dempsey, Avery, Corcoran, Norr, Wildberger, Portwood, Silvey, Talboy, Schneider, Bruns, Harris (23), Roorda, Sutherland, Viebrock and St. Onge, relating to compensation to public safety workers.

HB 552, introduced by Representative Dempsey, relating to reemployment after retirement.

HB 553, introduced by Representative Dempsey, relating to retirement.

HB 554, introduced by Representatives Cooper (155), Schaaf, Burnett, Day and Onder, relating to licensed professional counselors.

HB 555, introduced by Representatives Cooper (155), Schaaf, Burnett, Day, Onder and Pearce, relating to licensed professional counselors.

HB 556, introduced by Representatives Kratky, Parson, Roorda, Storch, Jones (117) and Portwood, relating to police officer compensation.

HB 557, introduced by Representatives Meadows, Young, Roorda, Dusenberg, Johnson, Wildberger, Fallert, Wallace, Robinson, Donnelly, Harris (110), Hodges, Moore, Nieves and Wright-Jones, relating to first responders.

HB 558, introduced by Representatives Meadows, Schoemehl, Yaeger, Rucker, Roorda, Wallace, Flook, Nance, Komo, McGhee and Moore, relating to failure to stop for a school bus.

HB 559, introduced by Representatives Skaggs, Hughes, Wildberger, Talboy and Page, relating to a tax credit for infertility treatment costs.

HB 560, introduced by Representatives Skaggs, Hughes, Wildberger, Talboy, Zimmerman and Page, relating to payment of property taxes.

HB 561, introduced by Representatives Skaggs, Low (39), Bowman, Burnett, Page and Frame, relating to insurance credit scoring.

HB 562, introduced by Representative Yates, relating to the career and teacher excellence plan.

HB 563, introduced by Representatives Robinson, Tilley, Rucker, Kuessner and Hodges, relating to persons entitled to be excused from jury service.

HB 564, introduced by Representatives Walton and Cooper (158), relating to liquor control.

HB 565, introduced by Representatives Brown (50), Chappelle-Nadal, Hubbard, Burnett, Darrough, Yaeger, Scavuzzo, Lampe, Schoemehl, Holsman, Fallert, Hodges, Hughes, Spreng, Villa, Robb, George, El-Amin, Haywood, Nasheed, Wallace, Aull, Bland, Hoskins, McGhee, Nance, Oxford, Sater, Moore, Nolte, Tilley, Wildberger, Casey, Cooper (120), Scharnhorst, Cox, Faith, Denison, Wells, Schneider, Richard, Fisher, Jones (117) and May, relating to child visitation rights.

HB 566, introduced by Representative Hunter, relating to preferred claims.

HB 567, introduced by Representatives Parson and Schad, relating to motor vehicle dealers.

HB 568, introduced by Representatives Portwood, Lembke, Wood, Wallace and Silvey, relating to a tax credit for providing funeral services.

HB 569, introduced by Representative Portwood, relating to patient care health records.

HB 570, introduced by Representative Yates, relating to reorganization of the department of insurance, financial and professional regulation.

HB 571, introduced by Representatives St. Onge, Schneider, Bowman, Bruns, Page, Sater and Corcoran, relating to taxation of aircraft.

HB 572, introduced by Representatives St. Onge and Sater, relating to licensed private fire investigators.

HB 573, introduced by Representatives St. Onge and Sater, relating to disabled windshield placards.

HB 574, introduced by Representative St. Onge, relating to Missouri uniform law enforcement system records.

HB 575, introduced by Representatives Corcoran, Schneider, Meadows, Walsh, Roorda, Darrough, Wildberger, Moore, LeVota, Hodges, Wallace, Wright-Jones, Norr, Portwood and Silvey, relating to first responders.

HB 576, introduced by Representatives Cooper (120), Wright, Wilson (119), Schad, Hunter, Sater, Stevenson, Wallace, Weter, Moore, Funderburk and Dougherty, relating to designation of the official state game bird.

HB 577, introduced by Representative Cooper (120), relating to identity theft protection.

HB 578, introduced by Representatives Pearce, McGhee, Cooper (120) and Yates, relating to sex offender treatment facilities.

HB 579, introduced by Representatives Dempsey, Day, Fisher, Roorda, Jones (117), Dusenberg, Bearden, Schaaf, Tilley, Dougherty, Wallace, Wood, Faith, Yates, Sater, Cooper (158), Nolte, Moore, Ruestman, Richard, Sander, Page, Jones (89), Cooper (155) and Fares, relating to civil defense.

HB 580, introduced by Representatives Kingery, Lampe, Stevenson, Wilson (130), Baker (123), Schad and Dougherty, relating to four-day school weeks.

HB 581, introduced by Representatives Flook and Ervin, relating to the Missouri quality jobs act.

HB 582, introduced by Representative Storch, relating to the Missouri family trust.

HB 583, introduced by Representatives Johnson, Wildberger, Roorda, Yaeger, Cunningham (86), McGhee and Stevenson, relating to orders of protection.

HB 584, introduced by Representatives Johnson, Baker (25), Wildberger, Roorda, Harris (110), Yaeger, Moore and McGhee, relating to postconviction DNA testing.

HB 585, introduced by Representatives Johnson, Walsh, Harris (23), Whorton, Yaeger, Wright-Jones and Schneider, relating to trademark registrations.

HB 586, introduced by Representative Yates, relating to various enforcement and regulatory powers of professional registration.

HB 587, introduced by Representative Tilley, relating to ticket resale.

HB 588, introduced by Representatives Schaaf, Page, Lowe (44), Fallert, Burnett, Bowman and Low (39), relating to patient safety.

On motion of Representative Dempsey, the House recessed until 6:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed Senator Gross to replace Senator Rupp to serve on the escort committee pursuant to **HCR 2**.

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Peter Kinder and members of the Senate to the dais: Representatives Schoeller, Ruestman, Scharnhorst, Pearce, Wilson (119), Hobbs, Yaeger, Wright-Jones, Meadows and Bland.

The Speaker appointed the following committee to escort His Excellency Governor Matt Blunt to the dais: Representatives Grisamore, Silvey, Wasson, Fares, Wright, Schlottach, Johnson, Baker (25), Salva and Skaggs.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Junior ROTC from Central High School in St. Joseph, Missouri, presented the Colors and the Pledge of Allegiance to the flag was recited.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 034

Barnitz	Bartle	Bray	Callahan	Champion
Clemens	Coleman	Crowell	Days	Engler
Gibbons	Goodman	Graham	Green	Griesheimer
Gross	Justus	Kennedy	Koster	Lager
Loudon	Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer
Smith	Stouffer	Vogel	Wilson	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 149

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 002

Haywood Talboy

PRESENT: 004

Darrrough Low 39 Lowe 44 Whorton

ABSENT WITH LEAVE: 008

Avery	Bowman	Brown 30	Brown 50	Donnelly
Hunter	Liese	Walton		

The Doorkeeper announced the approach of the Honorable Matt Blunt, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

**STATE OF THE STATE ADDRESS
BY
GOVERNOR MATT BLUNT**

Lt. Governor Kinder, Mr. President Pro Tem, Mr. Speaker, distinguished state officials, judges of the Supreme Court, members of the General Assembly, reverend clergy, my fellow Missourians:

The tradition of this address began when President George Washington stood before an uncertain legislature, at an uncertain time in our young nation's history, and urged the Congress to prolong this great experiment, "the United States of America," by promoting science and learning.

Two years ago I stood before you at a time of uncertainty in our own state. I asked for your help in re-ordering priorities and returning to fiscal discipline. I asked you to join me in rejecting complacency so that we could create conditions that would lead to prosperity for every Missourian. Tonight, I stand before you pleased to report that because of our work together the days of economic uncertainty are in the past.

Now we have reason for renewed optimism, reason to stand strong with hope for the future. Opportunities are increasing and Missouri families have a better quality of life.

More than 50,000 jobs have been created and Missourians are enjoying greater prosperity.

Fellow Missourians, the state of our state is strong, prosperous, and vibrant.

We cannot and should not rest on these important accomplishments. **We must do more!**

I have traveled all across our great state. I have talked with Missourians and I have listened. The people are asking us to continue moving the state forward, and their will should guide our efforts.

Mothers and fathers want the financial security that enables them to provide for their children's future. They want the peace of mind that comes from knowing that their children will receive a world class education every time they step into a Missouri classroom; that their children will be protected from predators when they log on to the Internet or ride their bike to the neighborhood park; that they will grow up in a culture that is kind and just; and that they will have access to higher education that will unleash their full potential.

Sons and daughters want to know that their parents and loved ones will be taken care of; that their health care will be of the highest quality; and that their leaders will honor the promises and commitments made to a great generation of Americans.

Grandparents want their grandchildren to live in a decent society, and they want confidence that the values that have made America great will be transmitted to yet another generation. They want to know that we are working to ensure safety in nursing homes and other long-term care facilities; and that we respect and will not cut people's Social Security.

Missouri families want confidence that their government is looking out for their interests instead of its own; that we are pursuing results instead of partisanship; and that we will deliver on pledges and commitments. So let us work together to fulfill promises, beginning with the promise that we will put Missouri families first.

Quality, Affordable Health Care

As I visit with Missouri families, one of their chief concerns, and in many cases one of their greatest worries, is how they will afford health care. Missourians are also very concerned about the sick and the poor.

The old Medicaid system was bankrupting our state but, even more importantly, the old system was failing Missourians who need help. Bad management permitted widespread abuse by providers and ineligible recipients at a cost of hundreds of millions of dollars—money that should have been used for Missouri's most vulnerable citizens. The old system was so bad that Medicaid was even paying for Viagra for sex offenders.

The decisions we made saved Medicaid and set us on a course to dramatically improve care for the sick and poor beginning now.

Since I took office, I have been visiting with Missourians about their health care concerns. Missourians are worried about those who lack insurance. This is my concern as well. **Tonight I promise to deliver improved access to affordable health care for every Missourian, and the guarantee that the sick and the poor will be well served.**

With the advice and suggestions of many in this Chamber and thousands across our state, we developed Missouri HealthNet to replace the old Medicaid system.

What I propose with Missouri HealthNet is not a minor reform. It is an entirely new system. It will stand apart from what any other state has done or is doing. The Medicaid program we inherited was a paper-based system, basically unchanged from its original 1967 model. HealthNet will put people first. The old Medicaid failed to focus on prevention and wellness. HealthNet will improve the health of the sick and the poor.

The Medicaid we inherited focused on rules and made recipients dependant on checklists and bureaucratic red tape. HealthNet will give Missourians meaningful choices. It will empower them to be participants rather than just recipients. The old Medicaid was about sickness. The new HealthNet will be about prevention and wellness.

With Missouri HealthNet, for the first time in Missouri history we will guarantee that every participant has access to primary and preventative care.

HealthNet recognizes that Missourians should all have one central point of contact and a doctor who knows them personally. HealthNet provides this access by empowering participants to choose their health care home.

I recently had the opportunity to talk with Dr. Heidi Miller, a young doctor who cares for indigent Missourians at Family Care Health Centers in St. Louis. Dr. Miller explained why she believes in the health care home. Dr. Miller described the health care home as a place you know, and a place that knows you. She described the health care home as a place that makes you feel safe, a place where you do not have to explain yourself every time, a place where you can go in your time of need. I agree with Dr. Miller. A health care home offers a place to build relationships, and that is why it is a cornerstone of HealthNet.

HealthNet takes the whole person into account. It will use a health risk assessment to develop a plan of care for improved health and, help to avoid unnecessary emergency room visits and unnecessary hospitalizations.

HealthNet recognizes that some people need more help and attention than others. The most vulnerable participants often have extensive health care needs and they will have the option to participate in the Chronic Care Improvement Program. We are expanding this important program to cover patients with sickle cell disease.

HealthNet also will embrace technology to ensure that all health care information is available to patients and providers in a **secure** system.

HealthNet recognizes that the old Medicaid did little to reward good providers for improving the health of their patients. Unlike the old Medicaid system, HealthNet will pay providers for results, not just visits or tests. In addition to **providing** all of these benefits, HealthNet will also give participants incentives.

Perhaps most importantly, HealthNet will empower the participant to make their own healthcare choices. HealthNet will significantly expand the number of participants who are allowed to choose their own health plan or to purchase health insurance. We should provide options for care so participants can choose a health plan that is right for them. And we must unleash the power of the free market by empowering participants to be informed and active consumers. This will drive out cost and lead to higher quality care. My HealthNet proposal expands choice and empowers participants.

Federally Qualified Health Centers already serve as the medical home to nearly 300,000 Missourians, providing comprehensive and quality care in nearly 110 community health centers. These centers are making health care available to uninsured Missourians.

So I have made them a budget priority. Over the last two years you and I have worked together to support the creation of new health centers across the state. We should continue that effort. My budget will provide 60 million dollars for improvements, construction and equipment at community health centers throughout Missouri.

Many employers—particularly small businesses—struggle to pay for the health care of their employees. To those employers who are providing good health benefits: Thank you.

Your support of your employees is appreciated. And that is why I am asking this legislature to cut the franchise tax for businesses that provide health insurance. My plan could eliminate the tax for 87 percent of employers and virtually all of our small businesses paying the tax, but they only qualify if they are providing health benefits to their workers.

More than 5 million Missourians have health insurance, but 700,000 are yet to be covered. I believe that we can dramatically increase the number who have health insurance. Innovative ideas are being discussed in this Capitol. We must work together to reduce the uninsured by employing the following principles:

First, we should combine various resources—federal and state, public and private—to lower the price of insurance.

Second, we should offer incentives to employers that provide health insurance such as the franchise tax cut I outlined.

Third, we should improve our laws so that Missourians can take their insurance with them when they switch jobs.

Fourth, we should pool the purchasing power of the uninsured to help them buy insurance at the lowest possible cost.

Fifth, we should allow employers **and employees** to pay insurance premiums with tax free dollars.

And sixth, the state should invest money to launch a program taking all of these principles into account and I commit 20 million dollars to launch this initiative.

We can do all of this, and we can make the system work for every single Missourian.

These principles, combined with HealthNet will provide health coverage to more Missourians than ever before in our state's history.

We already have created opportunities for many uninsured by passing legislation to allow small businesses to provide their employees with high quality health care at an affordable price by forming Association Health Plans. Companies that had never before been able to afford health care for their employees were given the ability to purchase quality, affordable health care. And initial premium savings ranged from 18 percent for the largest employers to as much as 40 to 50 percent for small employers. I call on the Congress to enact the same laws and level the playing field for all Americans.

We have a moral obligation to protect the innocent and vulnerable. Our children are among the most vulnerable. As I travel the state, I have visited with family after family that is dealing with autism. Autism Spectrum Disorders affect more lives than pediatric cancer, diabetes and AIDS combined. Early diagnosis of autism dramatically improves the development of children who have the disorder. Fortunately, these autistic disorders can be reliably diagnosed very early in a child's life—sometimes as early as six months. To focus on diagnosis and improvements to autism treatment I am asking you to approve my recommendation of 3.9 million dollars.

Those who have a mental illness or a behavioral disorder also deserve our protection. When parents and families face the difficult decision to place their loved one in the care of the mental health system, they should have the confidence that the state provides them with a safe and nurturing environment. I created the Mental Health Task Force in June, 2006 to help us all improve safety.

I recently signed an Executive Order that implements several Task Force recommendations. In order to implement even more recommendations immediately, my budget includes 2.6 million dollars.

Together we will prevent these instances of abuse and neglect and ensure that those who mistreat the vulnerable are held accountable and punished.

Seniors also can be vulnerable, and we have a moral obligation to them. They raised and instructed us, so it is up to us to pay them back for their love and sacrifice. We can do that by helping Missouri seniors stay in their homes longer, which results in a higher quality of life for them and reduced costs for taxpayers. If you approve my budget we will have increased in-home care funding by 53 million dollars.

Let us also make it easier for Missourians to plan for retirement. I ask you to provide full tax deductibility for all long term care insurance costs.

Help me continue rooting out waste, fraud and abuse. Before I came to office the Medicaid system was being drained by fraud and abuse that took advantage of poor enforcement. We have saved more than 230 million dollars by ending much of this theft. These savings have made it easier for us to take care of vulnerable Missourians. Tonight, I renew my call for a strict false-claims act that will allow my administration to even more effectively fight fraud.

World Class Education

As you all know, my budgets place schools, classrooms, teachers and students first. Two years ago, we embarked on a shared journey to improve the quality of public education for every child in the state of Missouri. Together, we have rewritten the formula to fund our schools; embraced innovation and I have fought for change.

As promised, we have increased funding for public education each year I have been in office. In the midst of an inherited budget disaster, we still increased funding. In fact, education increases have exceeded the rate of inflation in each and every budget I have recommended and in each and every budget I have signed.

This year, my highest priority remains getting more resources to our classrooms, our teachers, and most importantly, our students.

Working together we already have invested 332 million new dollars in elementary and secondary schools. This year I am calling for 214 million additional dollars for our classrooms, bringing the total increase in funding to more than half a billion dollars in the last three years.

Of course, in addition to financial investments, preparing our students to compete in the global economy requires good policy. To begin, we must focus tax dollars around areas of critical concern. Today, 36 percent of Missouri's college freshmen require basic remedial courses in college. In college, they are being taught skills they should have learned in high school or even junior high. Taxpayers should not have to pay twice for the same classes. Parents have told me that they are concerned about this, and they are worried about the good family-supporting jobs around the country that are being moved overseas.

As countries such as China and India move more and more of their citizens into advanced studies, this challenge will only grow. Missouri is no longer just competing with states like Kansas and Illinois, but we are now in the global economy competing with India and Singapore, Shanghai and Hong Kong. If we are to make Missouri families even more prosperous, we must ensure that students are equipped with advanced skills in math and science.

Technology helps improve skills and spark student interest in math and science. That is why my budget includes 2.9 million dollars to fund 100 technology classrooms in 100 different schools.

For too long, the hours between 3:00 in the afternoon and 6:00 in the evening have been the most dangerous for our children. That is one reason I have been encouraging the expansion of after school programs. These programs provide a safe haven for children and opportunities for students to participate in math and science enrichment activities that the regular school day may not allow. To support these programs my budget includes 1 million dollars to expand quality after school programs in math and science, as well as physical activity and health.

I also recently announced the third consecutive year of increased funding for Parents as Teachers. I did so because early childhood education is a great investment for the future. Recently, I convened the first meeting of the Coordinating Board for Early Childhood. They will be a valuable resource as we work to strengthen opportunities for Missouri children.

Good education policy demands that we confront difficult problems head on. As you know, the St. Louis City school district is failing our children. It is failing to provide a basic education to thousands of young Missourians. For me, no option is off the table and I am willing to work with anybody who cares about our children.

We also owe it to families across the state to ease access to college and ensure students get an education and not just a degree. Higher education, whether it be in a community college or a four year institution, is a sound investment that helps to secure a higher quality of life for the next generation.

Unfortunately, literacy among college graduates has actually declined in the last decade. Employers express concern regarding the skill level of graduates applying for jobs. This is unacceptable. Missouri's colleges and universities need to be accountable to taxpayers. I am calling upon the Coordinating Board for Higher Education to create standards and measure performance. Funding for higher education should be tied to colleges and universities meeting those standards.

College costs must be controlled and tuition must be more predictable. To help the family budget, I propose that only in extraordinary circumstances should the Coordinating Board for Higher Education be able to authorize an exception to this rule: No tuition increase should exceed the rate of inflation.

The state must support higher education, and this year, my budget will send **40** million new dollars to colleges and universities. My three year plan will increase funding by more than 110 million dollars. Significantly, we can also make it easier for Missourians to go to college by increasing need-based scholarship funding from 27.5 million dollars to more than 72.5 million dollars.

Additionally, 3.4 million dollars will be added to recruit students into the health care professions and to forgive loans for students who are preparing to be Missouri doctors, dentists, and nurses.

But our effort to deliver a world class education must not stop there. Missouri college students are learning math and science skills in labs and classrooms that are out of date. Talented Missourians interested in entering competitive industries are leaving Missouri for institutions with state of the art facilities. Every one of our campuses has significant capital improvement needs that, if completed, would help ensure that Missouri students **are** receiving a world class education here at home.

To address those needs I developed the Lewis and Clark Discovery Initiative, which is a partnership between the Missouri Higher Education Loan Authority and the state. Through this Initiative we can sell loans held by people in other states and bring 335 million dollars home to strengthen our colleges and universities for our students.

Missouri's colleges and universities have been waiting far too long for this critical boost in quality. Each additional day that we wait means increased costs. I ask you to act with urgency and approve the Lewis and Clark Discovery Initiative.

We owe it to every Missourian to provide a world class education that will unleash their God-given potential.

Family-supporting Jobs

We also owe it to Missourians to foster an economic climate that **creates** good family-supporting jobs. We promised that we would work to do that. Missourians have responded to the pro-growth, pro-job policies we have enacted, and since January 2005 Missourians have created more than 53,000 new jobs, 279 businesses per week, and higher per capita personal income.

Part of promoting that healthy economic climate was passing frivolous-lawsuit reform. The old system encouraged frivolous lawsuits and made it difficult to protect Missourians' access to health care because well-trained doctors were fleeing the state due to skyrocketing insurance premiums.

In 2005 we passed legislation that made it much more difficult to file frivolous lawsuits. This has enabled us to recruit and retain doctors, increased the quality of care, and reduced the cost of doing business.

In the past the state often subsidized businesses that paid low wages and did not provide health benefits. In 2005 we enacted the Missouri Quality Jobs Act which centers our economic development on the creation of family supporting jobs with good wages and health care benefits. The Quality Jobs Initiative is the most important economic development tool that we have ever had. So I am asking you to double its capacity to create even more family-supporting jobs.

The Internet is transforming our lives. It is increasing productivity and adding to our quality of life, but not all Missourians have access to this valuable tool. We must promote policies encouraging investment so that we can deliver high speed Internet to more Missourians—whether wealthy or poor; young or old; in our largest cities or on our most remote farms.

When government allows businesses to compete, Missourians see lower prices, and more choices. So I am asking you to enact legislation that creates competition for all companies that want to provide telecommunications and cable services.

I also urge you to change the law so that Missouri families get to keep more of their own income. President Roosevelt signed the Social Security Act so that, in America, growing older did not mean you had to be poor. Yet, the state taxes people's well earned Social Security benefits. This is not a problem that we created, but it is another problem that we can solve. The Social Security tax is a Social Security cut. So let us stop the cut and allow Missouri seniors to keep the Social Security they have earned. I urge you to take up, pass, and allow me to sign Speaker Jetton's legislation to stop cutting people's Social Security.

Honoring Our Veterans

Many seniors are of that great generation of Americans who defeated the forces of tyranny in the Second World War. As a veteran, I am proud to lead a state that respects those who wear the uniform today. We must do our best to honor the brave men and women of our Armed Forces. They volunteered to endure blood, sweat and tears, and to do this all to protect and extend the frontier of freedom. With your support we have already been able to achieve a great deal for our veterans and their families.

We enacted legislation to prevent hateful protests at the funeral services of fallen soldiers. Because of this law, and the vigorous enforcement by our police, sheriffs and Highway Patrol, the families of our men and women in uniform are able to honor our military heroes.

With your help we also established the Guard at Home program, which is helping the families of deployed guard members and reservists avoid economic hardship. Once our guard members and reservists return home, the Guard at Home Program will help them get back into the civilian workforce.

But we need to do more. I am also asking you to streamline the process for qualified veterans who apply for or renew a professional license.

These brave Missourians have stood up for democracy. It is our duty to stand up for them. That is why my budget will send an additional 6.2 million dollars to support veterans' homes and 4.5 million new dollars for better equipment.

The Sanctity of Life

Remarkably, it was only in the last two centuries that democracy became the preferred form of government. In that time, however, one of the defining traits of democracy has been a concern for what we refer to as a society's "culture." No society can remain civilized if it does not concern itself with the respect and courtesy that is shown to one another, how it perceives the family, and how it treats its most vulnerable.

Missourians know that a coarsening of our culture undermines human dignity. In stark contrast to cultural relativism stands the belief that all of humanity is bound together by a moral fabric. There is, indeed, an enduring moral order and our policies should reflect our basic values.

We have enacted laws that move us in the right direction. We are fortunate to live in a state that has protected traditional marriage and enshrined that protection in the constitution. Since I came to office we have also been able to enact important laws that make Missouri a national leader in protecting human life. We created an income tax credit for pregnancy resource centers. We also strengthened parental consent laws to ensure that Missouri parents are involved in the most critical decisions that their young children make.

This year we must continue to protect the innocent and pass legislation that reflects our common values. I ask you to approve the 200,000 dollars in new funding that I have recommended for the Alternatives to Abortion program, and I also urge you to place this program in statute and make it permanent.

Protecting Society from Violent Crime

The fundamental responsibility of government is to protect life and liberty. Ensuring the safety of our children is at the center of this obligation. That is why last year we passed Missouri's version of Jessica's Law. It mandates a life sentence with at least 30 years served for those predators who commit the most egregious crimes against young children. This law is one of the toughest in the nation. We have sent a clear message to child predators. If they commit such a crime in Missouri, we will put them behind bars for a very long time and if they ever get out of prison we will watch them for the rest of their life.

The Internet has opened up a whole new world of information. Unfortunately, terrible people have put it to terrible use. Some are using the Internet to lure our children into dangerous and potentially fatal situations.

The ability to catch these criminals and prosecute them is critical to enforcing the tough provisions of Jessica's Law. Fortunately, Jessica's Law created the Cyber Crime Grant Program. This year I am asking you to double the funding for this valuable program and approve an additional 250,000 dollars to help Internet crime fighters buy the equipment they need to track down these predators.

Our ability to protect our children depends on three things: tough laws, great law enforcement, and vigilant citizens. Thankfully we have them all. As you all know, Mitchell Hults gave law enforcement the information they needed to rescue Shawn Hornbeck and Ben Ownby. Because of his vigilance, these families have been reunited. Mitchell Hults is here tonight. Please join me in honoring a Missouri hero, Mitchell Hults.

Public safety involves more than just vigorous enforcement of our criminal laws. Governments, charities, churches and the Missouri National Guard must work together to overcome natural disasters. Missourians are kind,

compassionate and generous people. We look out for one another. The ongoing recovery from the ice storms is only the latest case of Missouri meeting the challenge of an unexpected disaster.

Missourians who have had to endure multiple outages deserve real answers and effective solutions. I am calling on electric utilities to evaluate the damage caused by the ice storms and take appropriate preventive action.

Law-abiding Missourians should not be punished when they use force to defend themselves and their families in their own home. I urge you to pass legislation that protects Missourians when they defend themselves from attack. I also ask you to pass legislation that guarantees Missourians will retain their Second Amendment rights, especially in times of emergency.

Like all of you, I still remember learning the story of the Good Samaritan—the story of a man who acted as a neighbor to a perfect stranger. In emergencies we are blessed to have doctors, nurses and others who volunteer to help. These volunteers should not be punished for their generosity. I urge you to pass legislation that protects volunteers from frivolous lawsuits when they are acting as Good Samaritans.

Murderers inflict incomprehensible pain and suffering when they take the life of a police officer, sheriff, corrections officer, or state trooper. So I am asking you to pass legislation that makes the death penalty mandatory in cases involving the murder of a law enforcement officer.

Agriculture and Renewable Fuels

A grave national security threat is a reliance on oil imported from nations that despise our country, hate our values and want to harm innocent Americans. The production of renewable fuels is one of Missouri agriculture's greatest success stories. In the same way that Missouri's farmers rose to a great challenge and fed the world in the last century, this century's Missouri farmers will answer another noble calling and fuel America.

The use of ethanol blended fuel helps family farmers and it leads to improved air quality. Last year you passed, and I signed, legislation requiring that virtually all gasoline sold in Missouri contain 10 percent ethanol by January 1 of next year.

With your help I have already proposed and signed budgets that included full funding for the biodiesel and ethanol incentive funds as well as funding for back payments from previous years that were not honored before I assumed office.

This year's budget fully funds the biodiesel and ethanol incentives and I further propose that we fulfill all outstanding payments in the supplemental budget.

We have passed laws to limit government and protect freedom in the past. I know we can do it again this year. In 2005, the United States Supreme Court ruled that local governments can take property and give it to private developers. It was a terrible ruling. In response, we enacted strong legislation to protect Missourians from losing their homes and farms in the name of commercial development. The American Farm Bureau calls Missouri's law the Gold Standard for protecting property rights.

This legislation was a bold step for all home and property owners. Now we need to stand up again for the rights of our farmers. The 100,000 plus Missouri family farms must be protected from abusive lawsuits. Missourians who have been farming for years and generations should have the right to work the land. They should not be burdened with unreasonable ordinances designed to chase them out of farming. So that Missouri farm families can continue to produce the food and fiber that is so vital to feeding families here at home and around the world, I urge you to pass the Missouri Farm and Food Preservation Act.

Safe and Modern Transportation

If you have driven anywhere in Missouri in the last two years, you have probably seen some new construction. If you are like me, it has probably made you late a time or two. But the inconvenience has been worth it. Early last month MoDOT delivered a total of 2,200 miles of safer, smoother and better roads. Fewer Missourians lost their lives

traveling on our roads last year. Missourians now travel more safely, with less wear and tear on their vehicles and less time in traffic.

My administration's road improvements will not end with the Smooth Roads Initiative. I fully support MoDOT's new initiative which will improve 5,600 miles of major highways over the next five years. Every Missourian will benefit from this effort.

Respecting People's Hard-Earned Dollars

The budget I am submitting is balanced. Our fiscal situation is dramatically improved from when I stood before you two years ago. We did not achieve this progress by taking an easy road. Because we were responsible in the past, we can make critical investments and stop cutting the Social Security benefits of our seniors.

We do have a surplus. But it is the people's surplus, and we must use it wisely. We cannot create new ongoing costs by expanding government. We cannot recreate the spending dilemma that we faced two years ago. We need to give the people of Missouri a government that is responsible so that Missouri families can move forward together.

The budget I submit to you provides a 200 million dollar ending balance to fund key priorities including education and healthcare in future fiscal years.

The budget I recommend continues the course of fiscal responsibility. It is balanced and it does not raise taxes. It reflects the common sense priorities of the people of Missouri.

A New Age of Prosperity

Together we play a vital role in shaping the future. Together we can demonstrate the strength of our leadership by giving Missourians the opportunity to experience the full promise of American life. We have it within our power to lay the foundation for an age of unprecedented prosperity for every Missourian.

Together we can show the strength of our character as we allow Missourians to keep and enjoy the prosperity they earned—by replacing broken and outdated government programs with effective initiatives to serve the sick and the poor, by lowering the tax burden on Missourians, especially our seniors, and by giving every child in Missouri an education that will serve as the first rung on a ladder to achieving their own prosperity and a bright future.

We must do this because as Thomas Jefferson said, "the happiness and prosperity of our citizens is the only legitimate object of government." We **can** do this because there is no limit to what the people of Missouri can achieve when they have the freedom to succeed.

Thank you. May God bless you and may God continue to bless the great state of Missouri.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

COMMUNICATION

January 24, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives,
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I have elected to form a Special Committee on Homeland Security and hereby appoint the following members to serve:

Representative Gary Dusenberger, Chairman
Representative Ryan Silvey, Vice Chair
Representative Jason Brown
Representative Mark Bruns
Representative Don Ruzicka
Representative Luke Scavuzzo
Representative Regina Walsh
Representative Ed Wildberger

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 7 - Special Committee on Immigration

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 39 - Special Committee on Ticket to Work
HB 60 - Special Committee on General Laws
HB 74 - Special Committee on Rural Community Development
HB 75 - Special Committee on Parks and Waterways
HB 85 - Special Committee on Immigration
HB 120 - Special Committee on Government Affairs
HB 155 - Special Committee on Homeland Security
HB 159 - Special Committee on Energy and Environment
HB 179 - Special Committee on Veterans
HB 189 - Special Committee on General Laws
HB 192 - Special Committee on Family Services
HB 205 - Special Committee on Tourism

HB 215 - Special Committee on General Laws
HB 217 - Special Committee on Tax Reform
HB 225 - Special Committee on Tax Reform
HB 239 - Special Committee on Tax Reform
HB 243 - Special Committee on Tax Reform
HB 262 - Special Committee on Immigration
HB 263 - Special Committee on Immigration
HB 269 - Special Committee on Immigration
HB 297 - Special Committee on Tax Reform
HB 308 - Special Committee on Tax Reform
HB 345 - Special Committee on General Laws
HB 346 - Special Committee on Agri-Business
HB 353 - Special Committee on Healthcare Facilities
HB 364 - Ways and Means
HB 365 - Special Committee on Small Business
HB 369 - Special Committee on Workforce Development and Workplace Safety
HB 396 - Special Committee on General Laws
HB 402 - Special Committee on Tax Reform
HB 444 - Special Committee on Tax Reform
HB 453 - Special Committee on Senior Citizen Advocacy
HB 454 - Special Committee on Senior Citizen Advocacy
HB 462 - Special Committee on General Laws

COMMUNICATIONS

January 24, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Economic Development, Policy and Planning:

Representative Ron Richard
Representative Kevin Wilson
Representative Larry Wilson

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 24, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Gaming and Wagering:

Representative Jim Avery
Representative Shannon Cooper
Representative Gary Dusenberg

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 24, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Legislative Research:

Representative Carl Bearden
Representative Tom Dempsey
Representative Allen Icet
Representative Scott Muschany
Representative Jason Smith
Representative Brian Yates

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 24, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Public Employee Retirement:

Representative Ward Franz
Representative Charles Schlottach
Representative Maynard Wallace

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 24, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I have elected to increase the number of members on the Special Committee on Rural Community Development from eight to ten. Although Representative Ray Weter will remain on the committee, I am removing him as Vice Chairman.

I hereby appoint Representative Charlie Denison and Representative Tim Meadows to this committee. Representative Denison will serve as Vice Chairman.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

COMMUNICATIONS

January 22, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I have invested in agriculture value-added cooperatives in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits, loan guarantees or may benefit from incentive funds. I would not have more than a ten percent interest in any of the value-added cooperatives.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Brian Munzlinger
District 1

January 24, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I have invested in agriculture value-added cooperatives in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits, loan guarantees or may benefit from incentive funds. I would not have more than a ten percent interest in any of the value-added cooperatives.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Therese Sander
22nd District

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Adam:

Pursuant to Chapter 105.461 RSMo this letter is an official report that I serve on the Board of Directors for both the Cuivre River Cooperative and University of Central Missouri Alumni Association.

In order for me to comply with Chapter 105.461 please publish this report in the Journal of the House.

Sincerely,

/s/ Mike Sutherland

January 23, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Adam:

Pursuant to Chapter 105.461 RSMo this letter is an official report that my father, Keith M. Sutherland, serves as a Circuit Court Judge of the 12th District.

In order for me to comply with Chapter 105.461 please publish this report in the Journal of the House.

Sincerely,

/s/ Mike Sutherland

WITHDRAWAL OF HOUSE BILL

January 24, 2007

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss,

Due to drafting errors, I respectfully request that **House Bill No. 570** be withdrawn. Please feel free to contact my office with any questions.

Sincerely,

/s/ Brian Yates
District 56

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, January 25, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 5.

Organizational meeting.

Public testimony for Departments of Agriculture, Natural Resources, and Conservation.

If testifying, contact Helen or Phyllis at 573-751-3972. Budget overviews.

APPROPRIATIONS - EDUCATION

Monday, January 29, 2007, 11:00 a.m. Hearing Room 1.

Overview presentation by the Department of Elementary and Secondary Education. AMENDED

APPROPRIATIONS - EDUCATION

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 3.

Presentation by Department of Elementary and Secondary Education on the Foundation Formula and continuation of overview if necessary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, January 29, 2007, 12:00 p.m. Hearing Room 3.

Organizational meeting. Public testimony heard in order of sign up.

Please contact chairman's office to add your name as a witness to be heard.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 3.

Organizational meeting. Presentation by the Department of Transportation.

BUDGET

Thursday, January 25, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 15

ETHICS

Thursday, January 25, 2007, 9:00 a.m. Hearing Room 6.

Ethics Committee Rules of Procedure. Executive session may be held.

HIGHER EDUCATION

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 1.

Informational meeting.

RULES [PURSUANT TO RULE 25(21)(F)]

Thursday, January 25, 2007, 12:30 p.m. Hearing Room 5.

Executive session may follow. Second amended notice. AMENDED

Public hearing to be held on: HB 543

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 7.

Organizational meeting.

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 5.

Informational meeting for presentations of service providers for small businesses and entrepreneurs.

HOUSE CALENDAR

THIRTEENTH DAY, THURSDAY, JANUARY 25, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 17

HOUSE BILLS FOR SECOND READING

HB 551 through HB 588

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 25, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray.

Lord, may everything we do begin with Your inspiration and continue with Your help, so that all our prayers and works may begin in You and by You be happily ended.

(A blessing on this last day of assembling before the weekend)

May God strengthen you and bring your work to completion.

May hope accompany your journey until you return here.

May God's abiding presence be with you all the days of your life. Amen.

(Adapted from BOOK OF BLESSINGS)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Bradley Campbell.

The Journal of the twelfth day was approved as corrected by the following vote:

AYES: 143

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder

Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 009

Burnett	Daus	Donnelly	Harris 23	Haywood
Low 39	Lowe 44	Talboy	Vogt	

PRESENT: 003

Darrough	Schoemehl	Whorton
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ABSENT WITH LEAVE: 008

Avery	Bowman	Brown 30	Hughes	Liese
Muschany	Walton	Wasson		

Representative Pratt assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 288 through House Resolution No. 316

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 17 was read the second time.

SECOND READING OF HOUSE BILLS

HB 551 through **HB 588** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 26** - Special Committee on Utilities
- HB 29** - Elementary and Secondary Education
- HB 30** - Elementary and Secondary Education
- HB 33** - Elementary and Secondary Education
- HB 37** - Special Committee on Utilities
- HB 62** - Corrections and Public Institutions

HB 78 - Special Committee on Utilities
HB 79 - Special Committee on Utilities
HB 82 - Transportation
HB 97 - Special Committee on Utilities
HB 154 - Special Committee on Utilities
HB 168 - Ways and Means
HB 172 - Special Committee on Tax Reform
HB 173 - Special Committee on Tax Reform
HB 180 - Special Committee on General Laws
HB 186 - Ways and Means
HB 250 - Higher Education
HB 261 - Judiciary
HB 287 - Local Government
HB 298 - Special Committee on Professional Registration and Licensing
HB 300 - Special Committee on General Laws
HB 313 - Higher Education
HB 314 - Special Committee on General Laws
HB 319 - Special Committee on Retirement
HB 327 - Special Committee on Job Creation and Economic Development
HB 328 - Special Committee on Job Creation and Economic Development
HB 344 - Special Committee on Agri-Business
HB 348 - Special Committee on Agri-Business
HB 359 - Ways and Means
HB 370 - Agriculture Policy
HB 439 - Special Committee on Workforce Development and Workplace Safety
HB 448 - Special Committee on Job Creation and Economic Development
HB 455 - Ways and Means
HB 457 - Ways and Means
HB 477 - Agriculture Policy
HB 478 - Agriculture Policy
HB 506 - Ways and Means
HB 512 - Judiciary
HB 516 - Ways and Means
HB 545 - Special Committee on General Laws

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 543 - Elections

COMMITTEE REPORTS

Committee on Ethics, Chairman Dempsey reporting:

Mr. Speaker: Your Committee on Ethics, begs leave to report that pursuant to Rule 36 of the House Rules it has adopted Rules of Procedure and hereby submits said Rules of Procedure in the form of a House Resolution and recommends that it has examined the same and recommends that **House Resolution No. 267 be adopted.**

HOUSE RESOLUTION NO. 267 ETHICS COMMITTEE RULES OF PROCEDURE

RULE 1. Scope and Authority

These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 36.

RULE 2. Definitions

As used in these Rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of the office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

RULE 3. Quorum

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

(1) The name and legal address of the member or members acting as complainant;

(2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct" means:

(a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;

- (b) Any conduct constituting a conflict of interest under Chapter 105, RSMo;
- (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
- (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
- (4) The facts alleged to have given rise to the violation; and
- (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these Rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint. When a motion to proceed to a preliminary hearing fails on a recorded vote, the complaint shall be immediately dismissed.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 5.C. shall be conducted in a closed meeting.

RULE 6. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

(1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit;

(2) An objection to the jurisdiction of the Committee to investigate the complaint; or

(3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

RULE 7. Preliminary Hearings

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A Complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be given an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

- (1) Dismiss the complaint, or
- (2) Proceed by
 - (a) undertaking an investigative hearing; or
 - (b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the Committee may, by a majority vote, recommend one of the following sanctions:

- (1) Letter of reproof;
- (2) Reprimand; or
- (3) Censure.

RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

- (1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.
- (2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes.
- (3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:
 - (a) Witnesses and other evidence offered by the complainant;
 - (b) Witnesses and other evidence offered by the respondent;
 - (c) Witnesses and other evidence offered by the Committee staff; and
 - (d) Rebuttal witnesses.
- (4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he

has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear or affirm that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?" The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

RULE 9. Admissibility of Evidence

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE 10. Witnesses

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the Chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the Committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to Committee.

RULE 11. Findings, Conclusions and Recommendations

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

RULE 12. Matters Not Covered in These Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Standards of Official Conduct of the 109th Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 18, introduced by Representatives Davis, Jones (89), Sander, Stevenson, Lembke, Nieves, Fisher, Harris (110), Sater, Cooper (155), Onder and Funderburk, relating to amending the constitution.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 589, introduced by Representative Lembke, relating to regional taxicab districts.

HB 590, introduced by Representative Tilley, relating to impaired pharmacists.

HB 591, introduced by Representatives Wildberger, Baker (25), Grill, Meadows, Roorda, Yaeger, Dougherty, Brown (50), Donnelly, Schaaf, Corcoran, Young, Wallace, Page and Curls, relating to publicly financed projects.

HB 592, introduced by Representatives Wildberger, Schaaf, Curls and Meadows, relating to insurance credit scores.

HB 593, introduced by Representatives Wildberger, Schaaf, Meadows, Dougherty, Whorton, Corcoran and Curls, relating to wireless telephone agreements.

HB 594, introduced by Representatives Wildberger, Schaaf and Dougherty, relating to unaccredited school districts.

HB 595, introduced by Representatives Schlottach and Threlkeld, relating to transient guest tax for funding the promotion of tourism.

HB 596, introduced by Representative St. Onge, relating to annual bid bonds for state highways and transportation commission construction and maintenance projects.

HB 597, introduced by Representative Pratt, relating to expert witnesses.

HB 598, introduced by Representatives Flook, Ervin, Kraus, Nolte, Jones (117), Bivins, Davis and Munzlinger, relating to unemployment benefits calculations.

HB 599, introduced by Representatives Faith and Dempsey, relating to health care liens.

HB 600, introduced by Representatives Schlottach, Cooper (120), Wilson (130), Parson, Munzlinger, Pratt and Richard, relating to the vehicle protection product act.

HB 601, introduced by Representatives Lowe (44), Fallert, Zweifel, Meadows, Roorda, Komo, George, Corcoran, Low (39), Walsh, Bowman, Lampe, Bland, Daus, Frame, Schieffer, Dougherty, LeVota, Talboy, Vogt, Spreng, Kratky, Darrough, Young, Meiners, Wildberger and Burnett, relating to good faith employee negotiations.

HB 602, introduced by Representatives Cooper (155), Schad, Jones (117), Self and Pollock, relating to circuit courts.

HB 603, introduced by Representatives Villa, Wright-Jones and Johnson, relating to a sales tax for public safety.

HB 604, introduced by Representatives Oxford, Roorda, Chappelle-Nadal, Johnson, Bowman, Walton, Baker (25), Low (39), Lowe (44), Yaeger, Talboy, Bland, Zweifel, Meadows, Casey, Zimmerman, Aull, Lampe, Nasheed, Brown (50), Hughes, Daus, Walsh, Storch, Kratky, Donnelly and Holsman, relating solely to the creation of an earned income tax credit.

HB 605, introduced by Representatives Oxford, Casey, Daus, Chappelle-Nadal, Roorda, Walton and Bowman, relating to the regional taxicab commission.

HB 606, introduced by Representatives Oxford, Harris (110), Chappelle-Nadal and Young, relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 607, introduced by Representatives Brown (50), Holsman, Curls, Hubbard, Chappelle-Nadal, El-Amin, Walton, Robb, Nasheed, LeVota, Hughes, Wildberger, Swinger, Casey, McGhee, Page, Darrough, Norr, Storch, Zweifel and Jones (89), relating to traffic violations.

HB 608, introduced by Representatives Smith (14), Onder, Bivins, Scharnhorst, Funderburk, Dempsey, Moore, Bearden, Emery, Self, Tilley, Jones (117), Day, McGhee, Casey, Meadows, Munzlinger, Schad, Portwood, Wilson (119) and May, relating to property exempt from taxation.

HB 609, introduced by Representatives Baker (25), Grill, McGhee, Oxford, Schneider, McClanahan, Quinn (9), Low (39), Schoemehl, Dougherty, Frame, Quinn (7), Schlottach, Lampe and Jetton, relating to teenage driver safety.

HB 610, introduced by Representatives Baker (25), Wright-Jones, LeVota, Johnson, Rucker, Bowman, Hodges, Haywood, Donnelly, Harris (23), Moore, McClanahan, Stevenson, Tilley, Storch, Cooper (155), Walsh, Chappelle-Nadal, Low (39), Lowe (44), Daus, Oxford, Swinger, Witte, Lampe and Dougherty, relating to address confidentiality for victims of domestic violence.

HB 611, introduced by Representatives Wildberger, Talboy, Walsh, Salva, Norr, Lampe, Scavuzzo, Yaeger, Meadows, Corcoran, Rucker and Casey, relating to an income tax deduction.

HB 612, introduced by Representatives Komo, Stream, Jones (89), Onder, Smith (150), Funderburk, Scharnhorst, Schoeller, Shively, Quinn (9), Villa, Donnelly, Roorda, Casey and Meadows, relating to the Vietnam veteran's survivors scholarship program.

HB 613, introduced by Representatives Pratt, Burnett, Rucker, Brown (50), Jetton, Schlottach, Faith, Wallace, Skaggs, Haywood, Harris (23), Bivins, Baker (123) and Baker (25), relating to the governing boards of certain state higher education institutions.

HB 614, introduced by Representatives Deeken, McGhee and Moore, relating to state procurement.

HB 615, introduced by Representatives Jones (89), Cunningham (86), Ruzicka, Smith (150), Wells, Schad, Hunter, Weter, Onder, Funderburk, Scharnhorst, Moore, Jones (117), Schoeller, Munzlinger, Cox, Tilley, Davis, Cooper (155) and Dixon, relating to unlawful use of a weapon.

HB 616, introduced by Representative Wood, relating to county boards of equalization.

HB 617, introduced by Representatives Davis, Ruestman, Jones (89), Sander, Pollock, Nolte, Moore, Schaaf, Viebrock, Ervin, Lembke, Flook, Stevenson, Nieves, Threlkeld, Wright, Fisher, Harris (110), Casey, Meiners, Bearden, Kingery, Schoeller, Cox, Onder, Wood, Kelly, Deeken, May, Franz, Cooper (155), McGhee, Smith (150) and Funderburk, relating to prescription contraceptives for minors.

HB 618, introduced by Representatives Davis, Cooper (155), Bearden, McGhee, Smith (14), Onder, Funderburk, Portwood, Self, Fisher, Pollock, Tilley, Wood, Dempsey, Nieves, Kingery, Threlkeld, Muschany, Munzlinger and Cunningham (86), relating to Missouri's Good Samaritan law.

HB 619, introduced by Representatives Aull, Schaaf, Villa, Jones (117), Bowman, Roorda, Komo, Whorton, Witte, Swinger, Scharnhorst, Parson, Dougherty, Kuessner, Harris (110), Shively and Wilson (119), relating to the civil air patrol.

HB 620, introduced by Representatives Muschany, Cunningham (86), Bearden, Jones (117), McGhee, Nieves, Bivins, Ruestman and Baker (123), relating to teacher certification.

HB 621, introduced by Representatives Muschany, Icet, Nieves, Dixon, Ruestman, Corcoran, Bivins, Nolte, Cooper (158), Davis, Baker (123), Wilson (119), Schaaf, Faith, Cox, Schoeller, Dusenberg, Wasson, Munzlinger, Yates, Ervin, Frame, Bruns, Cunningham (86), Onder, Jones (89) and Portwood, relating to the federal income tax deduction.

HB 622, introduced by Representatives Daus, Johnson, Oxford, Wildberger, Aull, Meadows, Roorda, LeVota, Meiners, Villa, Chappelle-Nadal, Wallace, Whorton, Parson, Tilley, Scharnhorst, Kuessner, Yaeger, Zweifel, Robinson, Fallert, Lowe (44), Talboy, Loehner, Young, Cunningham (145), Bowman, Komo, Witte, Dougherty, George, Quinn (9), Salva, Darrough, Page, Burnett, Wood, Viebrock, Schad, Fisher, Pearce, Sutherland, Dusenberg, Bruns, Pratt, Nieves, Cooper (158), Smith (14), Schneider, Smith (150), Pollock, Sander, Corcoran, Brown (50), Hughes, Walton, Curls, Walsh, Vogt, Bland, Richard, Hunter, Sater, Day, Deeken, Kelly, Weter, Robb, Moore, Franz, Spreng, Skaggs, Low (39), Rucker, Grill, Swinger, Zimmerman, Harris (110), Haywood, Shively, McClanahan, Scavuzzo, Frame, Nasheed, Hodges, Kingery, McGhee, Cooper (120), Hoskins, Jones (89), Threlkeld, Kratky, Bringer, Hubbard, Baker (25), Harris (23), Marsh, Guest, Lampe, Donnelly, Storch, Schoemehl, Casey, Munzlinger and Dethrow, relating to proof of lawful presence for renewal of drivers' licenses.

HB 623, introduced by Representatives Faith, Funderburk and Smith (14), relating to the elimination of the sunset provision of the early intervention program for infants and toddlers with disabilities.

HB 624, introduced by Representatives Wilson (119), Quinn (9), Hodges, Schieffer, Robb, Deeken, Pollock, Wood, Smith (14), May, Aull and Sutherland, relating to property tax documentation.

HB 625, introduced by Representatives Dempsey, Hubbard, Nolte, Lampe, Portwood, Kingery, Wilson (119), Wilson (130), Whorton, Schad, Sater, Aull and Page, relating to the teacher and school employee retirement system.

HB 626, introduced by Representative Flook, relating to the police retirement system and the civilian employees' retirement system of the police department of Kansas City.

HB 627, introduced by Representatives McClanahan, Walsh, Baker (25), Johnson, Norr, Schieffer, Aull, George, Dougherty, Donnelly, Hodges, Nasheed, Yaeger, Chappelle-Nadal, Brown (50), Curls, Zweifel, Komo, Shively, Holsman, Fallert, Schoemehl, Page, Burnett, Skaggs, Grisamore, Low (39), LeVota, Zimmerman, Roorda, Young, Scavuzzo, Wildberger, Oxford, Bland, Haywood, Storch, Vogt, Meadows, Daus, Frame and Bruns, relating to carbon monoxide detection devices.

HB 628, introduced by Representatives Loehner, Jones (117), Jones (89), Self, Wallace, Hobbs, Whorton, Kuessner, Schad, Parson, Franz, Quinn (7), Dethrow, McGhee, Wilson (119) and Schlottach, relating to surface mining and gravel excavation.

HB 629, introduced by Representative Hunter, relating to workers' compensation.

HB 630, introduced by Representatives Schlottach, Weter, Scharnhorst, Loehner, McGhee, Onder, Wright, Schad, Dougherty, Munzlinger, Moore, Wallace, Dethrow, Storch, Nance, Kuessner, Quinn (7) and Parson, relating to a tax credit for sales of certain cattle.

HB 631, introduced by Representative Schlottach, relating to the department of transportation and highway patrol retirement system.

HB 632, introduced by Representatives Burnett, Deeken, Lowe (44) and Quinn (9), relating to parole or release of certain female offenders.

COMMUNICATION

January 25, 2007

Mr. D. Adam Crumbliss
Chief Clerk-House Administrator
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I have invested in agriculture value-added cooperatives in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits, loan guarantees or may benefit from incentive funds. I would not have more than a ten percent interest in any of the value-added cooperatives.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ John Quinn
State Representative
District 7

WITHDRAWAL OF HOUSE BILL

January 24, 2007

Adam Crumbliss
Chief Clerk
Room 306C
State Capitol

Dear Chief Clerk Crumbliss,

After much consideration, I am requesting the withdrawal of **House Bill No. 164**, my Wood Shake Shingle legislation.

If you have any questions, please feel free to call me at 1-2565.

Yours truly,

/s/ Ray Weter
State Representative
142nd District

The following members' presence was noted: Bowman and Wasson.

ADJOURNMENT

On motion of Representative Self, the House adjourned until 4:00 p.m., Monday, January 29, 2007.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Ellen Brandom, District 160, hereby state and affirm that my vote as recorded on Page 185 of the House Journal for January 24, 2007 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 25th day of January 2007.

/s/ Ellen Brandom
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 25th day of January in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 5.

Organizational meeting.

Public testimony for Departments of Agriculture, Natural Resources and Conservation.

If testifying, contact Helen or Phyllis at 573-751-3972. Budget overviews.

APPROPRIATIONS - EDUCATION

Monday, January 29, 2007, 11:00 a.m. Hearing Room 1.

Overview presentation by the Department of Elementary and Secondary Education. AMENDED

APPROPRIATIONS - EDUCATION

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 3.

Presentation by Department of Elementary and Secondary Education on the Foundation Formula and continuation of overview if necessary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, January 29, 2007, 12:00 p.m. Hearing Room 3.

Organizational meeting. Public testimony heard in order of sign up.

Please contact chairman's office to add your name as a witness to be heard.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 3.

Public and provider testimony to be heard. Witnesses will be heard in sign up order.

Please contact the chairman's office to add your name as a witness.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 3.

Organizational meeting.

Presentation by the Department of Transportation.

ELECTIONS

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 5.

Informational meeting only.

Presentation by: Governor's Office, Secretary of State, Ethics Commission,

MO Association of County Clerks and Election Authorities.

HIGHER EDUCATION

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 1.

Informational meeting.

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 346

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 7.

Organizational meeting.

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 5.

Informational meeting for presentations of service providers for small businesses and entrepreneurs.

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, January 30, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 444, HB 217, HB 225, HB 239, HB 243, HB 297, HB 308, HB 402

SPECIAL COMMITTEE ON VETERANS

Tuesday, January 30, 2007, 1:00 p.m. Hearing Room 7.

Organizational meeting only.

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, JANUARY 29, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 18

HOUSE BILLS FOR SECOND READING

HB 589 through HB 632

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 15 - Icet

HOUSE RESOLUTION

HR 267, (1-25-07) - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, JANUARY 29, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Gracious Heavenly Father, we thank You that You advise those who fear You and reveal to them the intent of Your promise. Our eyes are continually on You Lord God. You remove our feet from the mine fields of deception and self-interest.

We pray for faith that overcomes fear, compassion that overcomes anger, integrity that sustains standards and values, fellowship that divides burdens, and laughter that lifts the soul.

May Your peace that passes all understanding dwell richly in our hearts. We pray Your grace and mercy, which is sufficient, to carry us through each minute of our day.

Look upon us with Your love and kindness. Direct our thoughts and words. Forgive us when they are abrasive, insensitive and unadvised.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirteenth day was approved as corrected by the following vote:

AYES: 151

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood

Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Daus	Low 39	Lowe 44	Talboy
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PRESENT: 002

Darrough	Whorton
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ABSENT WITH LEAVE: 006

Avery	Bowman	Brown 30	Brown 50	Cooper 155
Holsman				

Representative Schaaf assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 317 through House Resolution No. 332

HOUSE CONCURRENT RESOLUTION

Representative Deeken offered House Concurrent Resolution No. 16.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 18 was read the second time.

SECOND READING OF HOUSE BILLS

HB 589 through **HB 632** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 352 - Special Committee on General Laws

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 214 - Special Committee on Student Achievement

HB 261 - Insurance Policy

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 633, introduced by Representative Smith (150), relating to the Missouri board for architects, professional engineers, professional land surveyors, and landscape architects.

HB 634, introduced by Representatives Dusenberg, Kraus and Bruns, relating to 911 training.

HB 635, introduced by Representatives Portwood, Dixon, Faith, Corcoran, Wells, Meiners, Dusenberg and Dougherty, relating to an income tax deduction for contributions to the Missouri Housing Trust Fund.

HB 636, introduced by Representatives Day, Jetton, Kraus, Pearce, Richard, Wasson, Smith (150), Dusenberg, Cooper (155), May, Wells, McGhee, Lembke, Wilson (130), Schoeller, Bruns, Wallace, Emery, Munzlinger, Whorton, Wilson (119), Pollock, Nieves, Onder, Salva, Funderburk, Cooper (158), Dethrow, Tilley, St. Onge, Jones (89), Wright, Stream, Pratt, Stevenson, Schneider, Silvey, Page, Weter, Sater, Dixon, Threlkeld, Nance, Rucker, Smith (14), Parson, Brown (50), Bearden, Dempsey, Muschany, Moore, Brandom, Scharnhorst, Hunter, Avery, Bivins, Kelly, Cunningham (145), Cunningham (86), Jones (117), Schaaf, Deeken, Portwood, Cox, Ruzicka, Ervin, Schad, Davis, Baker (25), Hughes, Lampe, Corcoran, Bland, Wood, Low (39), Hubbard, Young, Schlottach, Flook, Quinn (7), Yaeger, Kratky, Grisamore, Kingery and Storch, relating to income tax exemptions for military pensions.

HB 637, introduced by Representative Dempsey, relating to utility service.

HB 638, introduced by Representatives Scavuzzo, Harris (23), Kuessner, Wildberger, Baker (25), LeVota, Quinn (9), El-Amin, George, Casey, Darrough, Holsman, Yaeger, Walsh, Fallert, Schoemehl, Zimmerman, Swinger, Witte, Hodges, Page, Burnett, Zweifel, Todd, Whorton, Norr, Talboy, Meadows, Grill, Frame, Salva, Brown (50), Villa, Daus, Robinson, Rucker, Wildberger, Schieffer, Aull, Bland, Haywood, Storch, Vogt and Lampe, relating to license fee revenue.

HB 639, introduced by Representatives Walsh, Corcoran, Wildberger, Roorda, Chappelle-Nadal, Walton, Cunningham (86) and Spreng, relating to underground power lines.

HB 640, introduced by Representatives Dixon, Wilson (119), Kingery, Lembke, Spreng, Faith, Harris (110), Walton and Munzlinger, relating to naturopathic medicine.

HB 641, introduced by Representatives Dixon, Hubbard, Marsh, Jones (117), Nolte, Cooper (158), Bruns, Deeken, Threlkeld, Munzlinger, Moore, Frame, Hoskins, Fisher, Sander, Wright-Jones, Haywood, Curls, Witte, McGhee, Johnson and Robb, relating to state officials and employees compensation.

HB 642, introduced by Representatives Deeken, Fallert, Hubbard, Zweifel and Moore, relating to the establishment and administration of a drunk driving memorial sign program.

HB 643, introduced by Representatives Dethrow, Self, Wilson (119), Sater, Hunter, McGhee, Schad, Wells, Nieves, Sander, Cooper (155) and Fisher, relating to firearms safety training.

HB 644, introduced by Representative Dethrow, relating to a charge for sheriff's services rendered in criminal cases.

HB 645, introduced by Representatives Pratt, Yates, Dusenberg and Stevenson, relating to business regulations.

HB 646, introduced by Representatives Young, Dusenberg, Chappelle-Nadal, Oxford, Dougherty, Munzlinger, Wallace, Baker (25) and Page, relating to disabled parking signs.

HB 647, introduced by Representatives Young, Munzlinger, Chappelle-Nadal, Kuessner and Dougherty, relating to deer hunting.

HB 648, introduced by Representatives Young, Oxford, Dougherty, Harris (110) and Harris (23), relating to sunshine law violations.

HB 649, introduced by Representatives Hughes, Hoskins, Hubbard, Bland, Lowe (44), Talboy and Frame, relating to use of credit scores by employers.

HB 650, introduced by Representatives Hughes, Hubbard, Hoskins, Bland, Lowe (44), Talboy, Skaggs and Frame, relating to the use of credit scores by insurance companies.

HB 651, introduced by Representatives Hughes, Hoskins and Lowe (44), relating to adoption.

HB 652, introduced by Representatives Hughes, Hubbard, Hoskins, Bland and Lowe (44), relating to repealing intervention fees for parolees.

HB 653, introduced by Representatives Roorda, Chappelle-Nadal, LeVota, Oxford, Meadows, Holsman, Storch, Wright-Jones, Haywood, Hodges, Daus, Bland, Talboy, El-Amin, Villa, Johnson, Harris (23), Casey, Burnett, Bowman, Komo, Frame and Baker (25), relating to the Reverend Nathaniel Cole memorial pursuit reduction grant.

HB 654, introduced by Representatives Stream, Jetton, Day, Wilson (119), Komo, Fisher, Lembke, Schad, Threlkeld, McGhee, Nieves, Self, Scharnhorst, Weter, Silvey, Dixon, Pearce, Wright, Smith (150), Jones (117), Sander, Bruns, Deeken, Grisamore, Munzlinger, Nolte, Moore, Onder, Cunningham (86), Schoeller, Norr, Hodges, Casey and Whorton, relating to grants for veterans' service officer programs.

HB 655, introduced by Representative Yates, relating to reorganization of the department of insurance, financial and professional regulation.

COMMUNICATION

January 25, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Adam:

Pursuant to Chapter 105.461 RSMo this letter is an official report that I serve on the Governing Board of Directors of St. John's Health Systems in Springfield, MO.

In order for me to comply with Chapter 105.461 please publish this report in the Journal of the House.

Sincerely,

/s/ Jay Wasson
Missouri State Representative

The following members' presence was noted: Brown (50) and Cooper (155).

ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Tuesday, January 30, 2007.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirteenth Day, Thursday, January 25, 2007, Page 210, Line 29, by deleting all of said line and inserting in lieu thereof the following:

HB 551 through **HB 569** and **HB 571** through **HB 588** were read the second time.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 4.

Organizational meeting. Authorizations pursuant to 21.155, RSMo.

Executive session may follow.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 5.

Organizational meeting.

Public testimony for Departments of Agriculture, Natural Resources and Conservation.

If testifying, contact Helen or Phyllis at 573-751-3972. Budget overviews.

APPROPRIATIONS - EDUCATION

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 3.

Presentation by Department of Elementary and Secondary Education on the Foundation Formula and continuation of overview if necessary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 3.

Public and provider testimony to be heard. Witnesses will be heard in sign up order.

Please contact the chairman's office to add your name as a witness.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 31, 2007, 7:45 a.m. Hearing Room 3.

Organizational meeting.

Public testimony taken for Public Safety and Corrections.

Executive session may follow.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 1, 2007, Hearing Room 6 upon morning adjournment.

Public testimony for Public Safety and Corrections.

Executive session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 3.

Organizational meeting.

Presentation by the Department of Transportation.

ELECTIONS

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 5.

Informational meeting only.

Presentation by: Governor's Office, Secretary of State, Ethics Commission,

MO Association of County Clerks and Election Authorities.

HIGHER EDUCATION

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 1.
Informational meeting.

INSURANCE POLICY

Tuesday, January 30, 2007, 3:00 p.m. Hearing Room 7.
Informational/organizational meeting.

JUDICIARY

Tuesday, January 30, 2007, 12:00 p.m. Hearing Room 1.
Informational hearing ONLY. Hearing will be conducted at a later date.
No Executive session will follow
Public hearing to be held on: HB 512

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearing to be held on: HB 346

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, January 30, 2007, 12:00 p.m. Hearing Room 4.
Organizational meeting.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, January 30, 2007, 5:00 p.m. Hearing Room 6.
Executive session may follow.
Public hearing to be held on: HB 353

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 262, HB 263, HJR 7

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 7.
Organizational meeting.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 1, 2007, 8:00 a.m.
Division of Professional Registration, 3605 Missouri Blvd., Jefferson City.
Informational meeting.

SPECIAL COMMITTEE ON RETIREMENT

Wednesday, January 31, 2007, 4:00 p.m. Hearing Room 2.
Educational session to follow Joint Committee on Public Employee Retirement.

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 453, HB 454

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 5.

Informational meeting for presentations of service providers for small businesses and entrepreneurs.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 6.

Organizational meeting. Presentation by Missouri Chamber of Commerce.

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, January 30, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 444, HB 217, HB 225, HB 239, HB 243, HB 297, HB 308, HB 402

SPECIAL COMMITTEE ON TICKET TO WORK

Wednesday, January 31, 2007, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 39

SPECIAL COMMITTEE ON VETERANS

Tuesday, January 30, 2007, 1:00 p.m. Hearing Room 7.

Organizational meeting only.

TRANSPORTATION

Tuesday, January 30, 2007, 8:00 a.m. Hearing Room 1.

MoDOT Director, Pete Rahn - MoDOT needs, future transportation needs.

HOUSE CALENDAR

FIFTEENTH DAY, TUESDAY, JANUARY 30, 2007

HOUSE BILLS FOR SECOND READING

HB 633 through HB 655

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 15 - Icet

HOUSE RESOLUTION

HR 267, (1-25-07, Pages 212-217) - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, JANUARY 30, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Msgr. Donald W. Lammers.

*Frost and chill, bless the Lord;
Praise and exalt Him above all forever.
Ice and snow, bless the Lord;
Praise and exalt Him above all forever.
(Daniel 3:69-70)*

Almighty God, we thank You for the frost and chill, which helps us to be bright and alert for the work of the day.

Holy God, You incline toward us and hear us when we call out to You. During the various committee hearings of this week, give us the ability to give our attention to others and hear them. Bless us with ears to hear Your Word, and to recognize it as Your Word when it is spoken by others.

We pray for the gift of hearing with discernment, that we might distinguish right from wrong, good from evil, truth from that which is less than true.

Be with us this day with the grace we need to do Your will. We honor and glorify You, Almighty God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ariell Alexandria Tillman, Ashlee Kristea Ross, Robert Jacobs, Daliesha Lee, Jasmine Leech, Deriek Thomas, Berkley Roloff, Morgan Willis, Taya White, Brayden Hudgins, Logan Chavez, Jalen Washington, Daron Powell, Chris Warlick, Cranston Mills, Kenyon Jackson, Neokoli Jamison, Kendra Townsend, Shaunyce Weekly, Jasmine Ive, Marteze Joseph, SaSavia Thompson, Parker Harmon, Nekiesha Bailey, Kylie Thompson, Cody Dang, Aliyaa Smith, Makala Shields, Darrian Jones and Darris Williams.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 147

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155

Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kratky	Kuessner	Lampe	Lembke	LeVota
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 009

Daus	Donnelly	Flook	Komo	Kraus
Low 39	Lowe 44	Talboy	Walsh	

PRESENT: 002

Darrough	Whorton
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ABSENT WITH LEAVE: 005

Avery	Bowman	Brown 30	Liese	Zimmerman
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SPECIAL RECOGNITION

Charlie Jones, Fire Chief, and Diane Sayre, Mayor, of Caruthersville, Missouri, were introduced by Representative Swinger and recognized as Outstanding Missourians.

HOUSE RESOLUTIONS

Representative Jones (89) offered House Resolution No. 334.

Representatives Bringer and Pratt offered House Resolution No. 343.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 333

House Resolution No. 335 through House Resolution No. 342

House Resolution No. 344 through House Resolution No. 362

HOUSE CONCURRENT RESOLUTION

Representative Fisher, et al., offered House Concurrent Resolution No. 17.

SECOND READING OF HOUSE BILLS

HB 633 through **HB 655** were read the second time.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 15, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 15** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 184 - Local Government

HB 426 - Special Committee on General Laws

HB 487 - Special Committee on Government Affairs

HB 578 - Special Committee on General Laws

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 656, introduced by Representative Wasson, relating to the advisory commission for physical therapists.

HB 657, introduced by Representatives Tilley, Scharnhorst, Smith (14), Robinson, Smith (150), Parson, Young, Yaeger and Kratky, relating to hearing instrument dispensing.

HB 658, introduced by Representatives Jones (117), McGhee, Franz, Wallace, Smith (150), Thomson, Robb, Cooper (155), Kuessner, Nieves, Cunningham (86), Schad, Cooper (120), Dempsey, Hunter, Wilson (130), Day, Ruzicka, Yates, Bearden, Kingery, Schlottach, Moore, Threlkeld, Parson and Wilson (119), relating to boating.

HB 659, introduced by Representative Pratt, relating to sovereign immunity.

HB 660, introduced by Representative Pratt, relating to the enforcement of violations detected by automated photo red light enforcement systems.

HB 661, introduced by Representatives Moore, Aull, Day, Bivins, McGhee, Weter, Meadows, Sater, Dixon, Lampe, Whorton, Brown (50), Schad, Robb, Kuessner, Harris (110), Shively, Robinson, Hodges, Swinger, Frame, Corcoran, Baker (25), Holsman, Grill, Pollock, Pratt, Bruns, Cooper (120), Tilley, Nolte, Munzlinger, Schaaf, Onder, Cox, Kingery, Cunningham (145), May, Dusenberg, Stream and LeVota, relating to teacher retirement.

HB 662, introduced by Representatives Moore, Bruns, Schad, Nance, Roorda, Brown (50), Walton, Schneider, Dethrow, Munzlinger, Cox, Quinn (7) and McGhee, relating to an income tax credit for dry fire hydrants.

HB 663, introduced by Representatives Portwood and Hunter, relating to the enforcement of traffic control signal violations.

HB 664, introduced by Representatives Dempsey, El-Amin, Smith (14), Bivins, Daus, Sater and Wallace, relating to cellular telephone use.

HB 665, introduced by Representatives Ervin, Flook, Nolte, Nance, Silvey and Skaggs, relating to preservation of county documents.

HB 666, introduced by Representative Bringer, relating to transfers of real property to counties.

HB 667, introduced by Representative Bringer, relating to foster care tuition waivers.

HB 668, introduced by Representative Bringer, relating to controlled substances.

HB 669, introduced by Representatives Pearce, Cox, Fisher, Ruestman, Weter, Wilson (119), Jones (89), Sater, Cooper (120), Schad, Onder, Dougherty, Wood, Dethrow, Dusenberg, McGhee, Munzlinger, Wasson, Kingery, Quinn (7), Moore and Wallace, relating to treatment of firearms during emergencies.

HB 670, introduced by Representatives Burnett, Bringer, Skaggs, LeVota, Pratt, Storch, Flook, Nolte, Kraus, Witte, Page, Zweifel, Salva, Dougherty, Meadows, Lowe (44), Vogt, Kratky, Grill, McClanahan, Harris (23), George, Cooper (120), Wildberger and Holsman, relating to DNA profiling.

HB 671, introduced by Representatives Daus, Villa, Kratky, Nasheed, El-Amin, Storch, Yaeger, Wright-Jones, Vogt, Hubbard, St. Onge and Johnson, relating to stolen license plate tabs.

HB 672, introduced by Representatives Cooper (155), Burnett, Dixon, Hodges and Kratky, relating to licensed professional counselors.

HB 673, introduced by Representative Dempsey, relating to the public service commission.

HB 674, introduced by Representatives Dempsey, Wildberger, Swinger, Nance, Page, Cooper (158), Bivins, Corcoran, Wallace, Cunningham (86), Schneider and Moore, relating to fire protection sprinkler systems.

HB 675, introduced by Representatives Kraus and Yates, relating to a tax credit for military retirement benefits.

HB 676, introduced by Representatives Grisamore, Yates, Richard, Pratt, Kraus, Dusenberg, Moore, Tilley, Baker (25), Donnelly, Bruns, Stream, Brandom, Sander, Sater, Schad, LeVota, Hodges, Scavuzzo, Grill, Dougherty, Zimmerman, Fallert, Curls, Page, Corcoran, Storch, Villa, Norr, Walton, Low (39), Talboy, Todd, Shively, Quinn (9), Harris (110), Oxford, Schieffer, Lampe, Nolte, Roorda, Witte, Pearce, Hobbs, Scharnhorst, Deeken, Nance, Munzlinger, Franz, Dixon, Schlottach, McGhee, Bivins, Guest, Silvey, Sutherland and Schneider, relating to child care subsidies.

HB 677, introduced by Representatives Cooper (155), Ruestman, Page, Roorda, Wasson and Dougherty, relating to peer review committees.

HB 678, introduced by Representatives Marsh, Dixon, Ruestman, Wilson (130), Ruzicka, Cunningham (145), Sander, Munzlinger, Day, Portwood, Wilson (119), Dougherty, Schoeller, Viebrock, Wells, Pollock, Walton, Portwood, Denison, Kelly, Emery, Stevenson, Richard, Smith (150), Weter, Sater, Dethrow, Page, Nance and Holsman, relating to open enrollment.

HB 679, introduced by Representatives Baker (123), Scavuzzo and McGhee, relating to county land use regulation.

COMMITTEE ASSIGNMENT

January 30, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Jason Smith to serve on the Judiciary Committee in the Missouri House of Representatives.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

MESSAGES FROM THE GOVERNOR

January 30, 2007

REORGANIZATION PLAN NO. 1 2007

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2007, by Executive Order 07-05, to transfer the Breath Alcohol Program from the Department of Health and Senior Services and assign it, and all of its responsibilities and functions, to the Missouri Department of Transportation. The Breath Alcohol Program will retain all functions and authority as provided by law. The Missouri Department of Transportation shall furnish administrative support and staff as is necessary for the effective operation of the Breath Alcohol Program.

The transfer of the Breath Alcohol Program from the Missouri Department of Health and Senior Services to the Missouri Department of Transportation will improve efficiencies within state government, as the Department of Transportation's Division of Highway Safety is tasked with administering other programs related to the safety of our roadways and drivers.

Respectfully submitted,

/s/ Matt Blunt

EXECUTIVE ORDER 07-05

WHEREAS, the Missouri Department of Health and Senior Services is authorized pursuant to Chapter 192, RSMo; and

WHEREAS, the Missouri Department of Transportation is authorized pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 226, RSMo; and

WHEREAS, Chapters 306 and 577, RSMo, require the Missouri Department of Health and Senior Services to license and regulate the chemical analysis used in determining the alcohol or drug content of motor vehicle and watercraft operators; and

WHEREAS, the Breath Alcohol Program is responsible for performing on-site inspection of breath analyzers, as well as, approving permits to operate and maintain evidential breath analyzers; permits to analyze blood, urine and saliva for drugs; and courses to instruct permit holders in the use of breath analyzer equipment; and

WHEREAS, the Breath Alcohol Program was established to ensure alcohol and drug testing is conducted in a uniform way throughout the state; and

WHEREAS, the Missouri Department of Transportation, Division of Highway Safety, currently supports the two major facilities involved in training and equipping law enforcement on issues related to breath alcohol testing; and

WHEREAS, the work of the Breath Alcohol Program would be strengthened by a move to the Missouri Department of Transportation, where other state initiatives promoting highway safety are located; and

WHEREAS, the Missouri State Government Review Commission recommended this transfer in its November 2005 Report; and

WHEREAS, the transfer of the Breath Alcohol Program would better serve Missouri's citizens by increasing efficiencies and is a component of the Governor's Executive Branch Reorganization Plan of 2007; and

WHEREAS, I am committed to integrating executive branch operations to ensure that the state delivers quality services in the most accessible manner and at the lowest cost to taxpayers.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974, do hereby order the Missouri Department of Health and Senior Services and the Missouri Department of Transportation to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Breath Alcohol Program from the Missouri Department of Health and Senior Services to the Missouri Department of Transportation, by Type I transfer, as defined under the Reorganization Act of 1974; and
2. Develop mechanisms and processes necessary to effectively transfer the Breath Alcohol Program to the Missouri Department of Transportation; and
3. Transfer the responsibility for staff support for the Breath Alcohol Program from the Missouri Department of Health and Senior Services to the Missouri Department of Transportation; and
4. Take the steps necessary to maintain compliance with federal requirements, so as not to jeopardize federal financial participation with this consolidation.

This Order shall become effective no sooner than August 28, 2007, unless disapproved within sixty days of its submission to the First Regular Session of the 94th General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 30th day of January, 2007.

/s/ Matt Blunt
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

January 30, 2007

**REORGANIZATION PLAN NO. 2
2007**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 2 of 2007, by Executive Order 07-06, to transfer the collection of surplus lines taxes paid by insurance companies from the Missouri Department of Insurance, Financial Institutions and Professional Registration and assign it, and all of its responsibilities and functions, to the Missouri Department of Revenue. The collection of surplus lines taxes will retain all functions and authority as provided by law. The Missouri Department of Revenue shall furnish administrative support and staff as is necessary for the effective operation of surplus lines tax collection.

The transfer of the collection of surplus lines taxes from the Missouri Department of Insurance, Financial Institutions and Professional Registration to the Missouri Department of Revenue will improve efficiencies within state government, as the Missouri Department of Revenue is already tasked with collecting taxes for the state.

Respectfully submitted,

/s/ Matt Blunt

**EXECUTIVE ORDER
07-06**

WHEREAS, the Missouri Department of Insurance, Financial Institutions and Professional Registration is authorized pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 374, RSMo; and

WHEREAS, the Missouri Department of Revenue is authorized pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 32, RSMo; and

WHEREAS, the collection of surplus lines insurance taxes is established in Chapter 384, RSMo, and currently is assigned to the Missouri Department of Insurance, Financial Institutions and Professional Registration; and

WHEREAS, the surplus lines insurance market provides unusual or high-risk insurance unavailable from licensed insurers; and

WHEREAS, surplus lines insurance companies doing business in Missouri pay premium taxes to the Missouri Department of Insurance, Financial Institutions and Professional Registration; and

WHEREAS, administering the premium and surplus lines tax systems is a function of the Missouri Department of Insurance, Financial Institutions and Professional Registration; and

WHEREAS, the Missouri Department of Insurance, Financial Institutions and Professional Registration currently transmits the surplus lines tax remittances received from insurance companies directly to the Missouri Department of Revenue; and

WHEREAS, the Missouri Department of Revenue is already collecting premium taxes remitted by insurance companies; and

WHEREAS, the Missouri Department of Revenue is the state's tax collection agency; and

WHEREAS, the collection of surplus lines insurance taxes would be strengthened by a move to the Missouri Department of Revenue where other state taxes are collected; and

WHEREAS, the Missouri State Government Review Commission recommended this transfer in its November 2005 Report; and

WHEREAS, the transfer of the collection of surplus lines insurance tax function would better serve Missouri's citizens by increasing efficiencies and is a component of the Governor's Executive Branch Reorganization Plan of 2007; and

WHEREAS, I am committed to integrating executive branch operations to ensure that the state delivers quality services in the most accessible manner and at the lowest cost to taxpayers.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974, do hereby order the Missouri Department of Insurance, Financial Institutions and Professional Registration and the Missouri Department of Revenue to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the function of collecting surplus lines taxes from the Missouri Department of Insurance, Financial Institutions and Professional Registration to the Missouri Department of Revenue, by Type I transfer, as defined under the Reorganization Act of 1974; and
2. Develop mechanisms and processes necessary to effectively transfer the function of collecting surplus lines taxes to the Missouri Department of Revenue; and
3. Transfer the responsibility for staff support for the function of collecting surplus lines taxes from the Missouri Department of Insurance, Financial Institutions and Professional Registration to the Missouri Department of Revenue.

This Order shall become effective no sooner than August 28, 2007, unless disapproved within sixty days of its submission to the First Regular Session of the 94th General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 30th day of January, 2007.

/s/ Matt Blunt
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

January 30, 2007

**REORGANIZATION PLAN NO. 3
2007**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 3 of 2007, by Executive Order 07-07, to transfer the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations and assign it, and all of its responsibilities and functions, to the Missouri Department of Public Safety. The Crime Victims' Compensation Fund will retain all functions and authority as provided by law. The Missouri Department of Public Safety shall furnish administrative support and staff as is necessary for the effective operation of the Crime Victims' Compensation Fund.

The transfer of the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations to the Missouri Department of Public Safety will improve efficiencies within state government, as the Missouri Department of Public Safety is tasked with administering other state programs related to providing services to victims of crime.

Respectfully submitted,

/s/ Matt Blunt

**EXECUTIVE ORDER
07-07**

WHEREAS, the Missouri Department of Labor and Industrial Relations is authorized pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 286, RSMo; and

WHEREAS, the Missouri Department of Public Safety is authorized pursuant to Article IV, Section 12, of the Missouri Constitution and Chapter 650, RSMo; and

WHEREAS, the Crime Victims' Compensation Fund is established in Section 595.045, RSMo, and is currently administered by the Missouri Department of Labor and Industrial Relations, Division of Workers' Compensation; and

WHEREAS, the Crime Victims' Compensation Fund was established in 1981 to assist victims of violent crimes through a period of financial hardship; and

WHEREAS, the Crime Victims' Compensation Fund is supported by a surcharge assessed in criminal court proceedings filed in Missouri courts; and

WHEREAS, the Office for Victims of Crime was established in the Missouri Department of Public Safety in 2001 to coordinate and promote the state's programs for victims of crime, coordinate efforts with stateside coalitions involved in providing assistance to victims of crime, administer the statewide victim notification system, and serve as a clearinghouse for victim complaints; and

WHEREAS, the work of the Crime Victims' Compensation program would be strengthened by a move to the Missouri Department of Public Safety where other statewide programs providing services to crime victims are located; and

WHEREAS, the Missouri State Government Review Commission recommended this transfer in its November 2005 Report; and

WHEREAS, the transfer of the Crime Victims' Compensation Fund would better serve Missouri's citizens by increasing efficiencies and is a component of the Governor's Executive Branch Reorganization Plan of 2007; and

WHEREAS, I am committed to integrating executive branch operations to ensure that the state delivers quality services in the most accessible manner and at the lowest cost to taxpayers.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974, do hereby order the Missouri Department of Labor and Industrial Relations and the Missouri Department of Public Safety to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations to the Missouri Department of Public Safety by Type I transfer, as defined under the Reorganization Act of 1974; and
2. Develop mechanisms and processes necessary to effectively transfer the Crime Victims' Compensation Fund to the Missouri Department of Public Safety; and
3. Transfer the responsibility for staff support for the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations to the Missouri Department of Public Safety.

This Order shall become effective no sooner than August 28, 2007, unless disapproved within sixty days of its submission to the First Regular Session of the 94th General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 30th day of January, 2007.

/s/ Matt Blunt
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

COMMUNICATIONS

January 24, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Please remove my name as a co-sponsor from **House Bill No. 258**. I was added in error. Thank you.

Sincerely,

/s/ Sam Page

January 30, 2007

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss,

I wish to advise you of my employment as an attorney with the law firm of Shook, Hardy & Bacon, LLP. I have no ownership interest in this firm, and the fees earned by other attorneys in the firm do not impact my salary.

There are well over 500 attorneys in this law firm, many of which may represent parties with an interest in proposed legislation. In the majority of these cases, I will not even be aware of this representation, as clients of my employer exceed ten thousand and change daily. Some attorneys in my firm may provide some legal representative to parties that may be impacted by decisions made by the Missouri General Assembly. The representations exists in several states and change rapidly, so the identification of each attorney/client relationship cannot be specific.

To the extent that a particular piece of legislation directly impacts an entity that I know to be a client of my firm, in a manner different than it impacts other similarly situated entities in that industry, I will abstain from voting on the proposal.

Please feel free to contact me with any questions you may have.

Sincerely,

/s/ Rep. Brian Yates

WITHDRAWAL OF HOUSE BILLS

January 30, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss,

I respectfully request that **House Bill No. 84** be withdrawn.

Thank you,

/s/ Will Kraus
State Representative
District 48

January 30, 2007

Mr. Adam Crumbliss
Chief Clerk
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Chief Clerk:

I respectfully request that **House Bill No. 314** be withdrawn. **House Bill No. 314** revises the definition of "practice of pharmacy" and establishes the Well-being Committee to aid pharmacists who suffer from illness, substance abuse, mental illness, or physical impairment.

Thank you for your consideration.

Sincerely,

/s/ Steven Tilley
State Representative
District 106

The following members' presence was noted: Liese and Zimmerman.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, January 31, 2007.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 4.
Organizational meeting. Authorizations pursuant to 21.155, RSMo.
Executive session may follow.

AGRICULTURE POLICY

Thursday, February 1, 2007, 8:00 a.m. Hearing Room 6.
Dr. Abner Womack, Co-director of Food and Agriculture Policy Research Institute,
to give an overview of Agriculture Industry.
Public hearings to be held on: HB 477, HB 478

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 5.
Organizational meeting.
Public testimony for Departments of Agriculture, Natural Resources, and Conservation.
If testifying, contact Helen or Phyllis at 573-751-3972. Budget overviews.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 5, 2007, 1:00 p.m. Hearing Room 6.

Budget overviews of Governor's recommendations for Departments of Agriculture, Natural Resources, and Conservation.

Possible Executive session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 31, 2007, 12:00 p.m. Hearing Room 3.

Budget to be reviewed: Office of Administration public debt.

Presentation on Office of Administration IT consolidation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 3.

Public and provider testimony to be heard.

Witnesses will be heard in sign up order.

Please contact the chairman's office to add your name as a witness.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 31, 2007, 7:45 a.m. Hearing Room 3.

Organizational meeting.

Public testimony taken for Public Safety and Corrections.

Executive session may follow.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 1, 2007, Hearing Room 6 upon morning adjournment.

Public testimony for Public Safety and Corrections.

Executive session may follow.

SPECIAL COMMITTEE ON AGRI-BUSINESS

Thursday, February 1, 2007, 8:00 a.m. Hearing Room 6.

Joint informational meeting with Agriculture Policy.

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, January 31, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 300, HB 352, HB 545

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 262, HB 263, HJR 7

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 7.

Organizational meeting.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 1, 2007, 8:00 a.m.

Division of Professional Registration, 3605 Missouri Blvd., Jefferson City.

Informational meeting.

SPECIAL COMMITTEE ON RETIREMENT

Wednesday, January 31, 2007, 4:00 p.m. Hearing Room 2.

Educational session to follow Joint Committee on Public Employee Retirement.

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, January 31, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 453, HB 454

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, January 31, 2007, 8:00 a.m. Hearing Room 5.

Informational meeting for presentations of service providers for small businesses and entrepreneurs.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, January 31, 2007, 9:00 a.m. Hearing Room 6.

Organizational meeting. Presentation by Missouri Chamber of Commerce. AMENDED

SPECIAL COMMITTEE ON TICKET TO WORK

Wednesday, January 31, 2007, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 39

WAYS AND MEANS

Thursday, February 1, 2007, 8:00 a.m. Hearing Room 3.

Public hearings to be held on: HB 364, HB 457, HB 516

HOUSE CALENDAR

SIXTEENTH DAY, WEDNESDAY, JANUARY 31, 2007

HOUSE BILLS FOR SECOND READING

HB 656 through HB 679

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HB 15 - Icet

HOUSE RESOLUTION

HR 267, (1-25-07, Pages 212-217) - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, JANUARY 31, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

O LORD our God, You are magnificent. You are clothed in splendor and majesty.

You cause the birds to nest beside the streams and sing among the branches of the trees. You send rain on the mountains from Your heavenly home, and You fill the earth with the fruit of Your labor. You cause grass to grow for the livestock and plants for people to use. You allow us to produce food from the earth. You made the moon to mark the seasons, and the sun knows when to set. You send the darkness, and it becomes night. Yet we go off to our work, where we labor until evening ignoring the beauty of Your creation.

May we not go robotically about our day missing a sunrise or sunset, the singing of a bird, the briskness of a cold winter morning or the necessity of a moment of quiet reflection and thanksgiving. You created all things for our pleasure.

We do not worry about tomorrow, for tomorrow will take care of itself. Our trust is in You, the living God. You will keep us safe.

May we rest in Your mercy.

As we ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifteenth day was approved as printed.

Representative Pratt assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 363 through House Resolution No. 389

HOUSE CONCURRENT RESOLUTION

Representative Oxford, et al., offered House Concurrent Resolution No. 19.

SECOND READING OF HOUSE BILLS

HB 656 through **HB 679** were read the second time.

HOUSE RESOLUTION

HR 267, relating to Ethics Rules of Procedure, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HR 267** was adopted by the following vote:

AYES: 154

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

George	Komo	Talboy	Walton	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bowman	Brown 30	Hobbs
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HOUSE CONCURRENT RESOLUTION

Representative Dempsey offered **House Concurrent Resolution No. 18**.

HOUSE CONCURRENT RESOLUTION NO. 18

BE IT RESOLVED by the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene a joint session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, February 7, 2007, to receive a message from Pete K. Rahn, Director of the Missouri Department of Transportation; and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Dempsey, **House Concurrent Resolution No. 18** was adopted.

COMMITTEE REPORTS

Special Committee on Healthcare Facilities, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Facilities, to which was referred **HB 353**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Ticket to Work, Chairman Portwood reporting:

Mr. Speaker: Your Special Committee on Ticket to Work, to which was referred **HB 39**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 680, introduced by Representatives May, Wilson (119), Stevenson, Wallace, Dougherty, Munzlinger, McGhee, Smith (150), Moore, Wasson, Richard, Dempsey, Hobbs and Haywood, relating to the official state grass.

HB 681, introduced by Representative Bringer, relating to monetary contributions to campaigns.

HB 682, introduced by Representative Pratt, relating to the physical fitness facility emergency services AED act.

HB 683, introduced by Representatives Lampe, McGhee, Grill, Baker (25), Meadows, Komo, Harris (23), Schieffer, Hodges, Whorton, Norr, Page, Harris (110), Jetton, Scavuzzo, Yaeger, Brown (50), Oxford, Dougherty, Fallert, Frame, Johnson, El-Amin, Storch, Hughes, Low (39), Walsh, Salva, Wright-Jones, Wasson, Wright, Weter, Deeken, Fisher, Threlkeld, Tilley, Wood, Ervin, Jones (117) and Nance, relating to corporate filings with the secretary of state.

HB 684, introduced by Representatives Bruns and Richard, to authorize the conveyance of certain state properties.

HB 685, introduced by Representative Hunter, relating to the second injury fund.

HB 686, introduced by Representatives Smith (150) and Tilley, relating to nursing home administrators.

HB 687, introduced by Representatives Thomson, Pearce, May, McClanahan, McGhee, Schneider, Sander and Roorda, relating to college or university police officers.

HB 688, introduced by Representatives Pollock, Cooper (155), Wilson (119), Deeken, Wright, Bruns, Moore, Denison, Jones (117), Wood, Wells, Franz, Richard, Pearce, Hobbs, Sander, Robb and Parson, relating to regional economic development districts.

HB 689, introduced by Representatives Baker (123), Flook, Nolte and Moore, relating to teacher mentoring standards.

HB 690, introduced by Representatives Baker (123), Schoeller, Schaaf, Flook, Nolte, Meiners, Richard, Stevenson, Hoskins, Robb, Bearden and Cooper (158), relating to open enrollment.

HB 691, introduced by Representatives Harris (110), Cooper (155), Swinger, Kuessner, Casey, Meadows, Bringer, George, Grill, Bruns, Fallert, Quinn (9), Kratky, Walsh, McGhee, Robinson, Liese, Sater, Nolte, Onder, Meiners, Lembke, Silvey, Moore, Baker (123), Schad, Jones (117), Emery, Yaeger, Scavuzzo, Schieffer, Salva, Schoemehl, Sander, Pollock, Dethrow, Wilson (119), Wood, Villa, Corcoran, Shively and Spreng, relating to abortions.

HB 692, introduced by Representatives Harris (110), Yaeger, Komo, Wildberger, Spreng, Whorton and Dusenberger, relating to state purchasing.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Jason Brown is no longer a member of the Local Government Committee.

Representative Thomas Todd is no longer a member of the Special Committee on Workforce Development and Workplace Safety.

Representative John Burnett has been appointed a member of the Special Committee on Workforce Development and Workplace Safety.

Representatives Jason Grill and Darrell Pollock have been appointed members of the Special Committee on Health Insurance.

Representative Fred Kratky has been appointed a member of the Special Committee on Tourism.

Representative Bryan Pratt has been appointed a member of the Local Government Committee.

Representatives Thomas Todd and Jim Avery have been appointed members of the Special Committee on Veterans.

Representatives Juanita Walton and Ron Richard have been appointed members of the Special Committee on Financial Institutions.

Representative Brian Yates has been appointed a member of the Special Committee on Tourism.

COMMUNICATIONS

January 31, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby reappoint Representative Ed Emery to serve on the Southern States Energy Board.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 24, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, House Post Office
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 210.101 RSMo, I hereby reappoint Representatives Danie Moore and Jeff Grisamore to the Missouri Children's Services Commission.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

January 22, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I have invested in agriculture value-added cooperatives in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits, loan guarantees or may benefit from incentive funds. I would not have more than a ten percent interest in any of the value-added cooperatives.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Steve Hobbs
State Representative
21st District

January 31, 2007

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I wish to advise you of my employment as an Of Counsel with the law firm of Shook, Hardy & Bacon, LLP. I have no ownership interest in this firm, and the fees earned by other attorneys in the firm do not impact my salary.

There are well over 500 attorneys in this law firm, many of which may represent parties with interest in proposed legislation. In the majority of these cases, I will not even be aware of this representation, as clients of my employer exceed ten thousand and change daily. Some attorneys in my firm may provide some legal representation to parties that may be impacted by decisions made by the Missouri General Assembly. The representations exist in several states and change rapidly, so the identification of each attorney/client relationship cannot be specific.

I am also a volunteer board member of Crittenton Children's Center of the St. Luke's Health System, which may conduct business with the State of Missouri.

To the extent that a conflict of interest exists under Missouri law, I will abstain from voting on the proposal.

Please feel free to contact me with any questions you may have.

Very truly yours,

/s/ Bryan Pratt

The following member's presence was noted: Hobbs.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, February 1, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 1, 2007, 8:00 a.m. Hearing Room 6.

Dr. Abner Womack, Co-director of Food and Agriculture Policy Research Institute, to give an overview of Agriculture Industry.

Public hearings to be held on: HB 477, HB 478

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 5, 2007, 1:00 p.m. Hearing Room 6.

Budget overviews of Governor's recommendations for Departments of Agriculture, Natural Resources, and Conservation.

Possible Executive session.

APPROPRIATIONS - EDUCATION

Monday, February 5, 2007, 11:00 a.m. Hearing Room 1.

Overview from the Coordinating Board of Higher Education and the Department of Higher Education.

METS, MOREnet and E-Mints testimony.

Executive session may follow.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 5, 2007, 12:00 p.m. Hearing Room 3.

Public and provider testimony to be heard. Witnesses will be heard in sign up order.

Please contact the chairman's office to add your name as a witness.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 1, 2007, Hearing Room 3 upon morning adjournment.

Public testimony for Public Safety and Corrections.

Executive session may follow. AMENDED

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, February 1, 2007, 1:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 353

SPECIAL COMMITTEE ON AGRI-BUSINESS

Thursday, February 1, 2007, 8:00 a.m. Hearing Room 6.

Joint informational meeting with Agriculture Policy.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 1, 2007, 8:00 a.m.

Division of Professional Registration, 3605 Missouri Blvd., Jefferson City.

Informational meeting.

WAYS AND MEANS

Thursday, February 1, 2007, 8:00 a.m. Hearing Room 3.

Public hearings to be held on: HB 364, HB 457, HB 516

HOUSE CALENDAR

SEVENTEENTH DAY, THURSDAY, FEBRUARY 1, 2007

HOUSE BILLS FOR SECOND READING

HB 680 through HB 692

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HB 15 - Icet

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, FEBRUARY 1, 2007

The House met pursuant to adjournment.

Representative Nieves in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, today's disagreeable weather continues to remind us there are many things we cannot control. Inspire in us the virtue of humility, that we may bow before You as the all-powerful One and Lord of all things.

We ask Your blessing upon those who have already worked long hours today, making the highways and streets safe for us and for all the people. Be with all who drive the highways today; may Your Holy Spirit keep them alert and at their best.

May this same Holy Spirit inspire us to complete our work of this week with such integrity that our very work gives You honor and glory. At the end of today's work, be with us as we travel to the warmth and love of our homes. Bless all who dwell there! Bless all the people we serve!

We humbly pray to You who are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as printed.

SPECIAL RECOGNITION

The 2006 Brunswick High School Future Farmers of America Agronomy Team was introduced by Representative Sander and recognized for achieving First Place in the National Future Farmers of America Agronomy Competition.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 390 through House Resolution No. 407

SECOND READING OF HOUSE BILLS

HB 680 through **HB 692** were read the second time.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HB 15, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 15** was read the third time and passed by the following vote:

AYES: 155

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brown 30	Chappelle-Nadal	Cooper 120	Haywood
Hubbard	Hughes	Walton		

Representative Nieves declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 16 - Special Committee on Government Affairs

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 1 - Special Committee on General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 31 - Judiciary
HB 34 - Ways and Means
HB 38 - Elementary and Secondary Education
HB 40 - Special Committee on Ticket to Work
HB 41 - Special Committee on Urban Issues
HB 43 - Local Government
HB 44 - Local Government
HB 45 - Local Government
HB 46 - Conservation and Natural Resources
HB 49 - Special Committee on Professional Registration and Licensing
HB 50 - Judiciary
HB 51 - Judiciary
HB 52 - Transportation
HB 53 - Special Committee on Energy and Environment
HB 54 - Special Committee on Health Insurance
HB 56 - Transportation
HB 57 - Elections
HB 59 - Crime Prevention and Public Safety
HB 61 - Special Committee on Workforce Development and Workplace Safety
HB 63 - Special Committee on Family Services
HB 65 - Ways and Means
HB 66 - Judiciary
HB 67 - Elections
HB 69 - Special Committee on Tourism
HB 70 - Special Committee on Veterans
HB 76 - Ways and Means
HB 77 - Insurance Policy
HB 81 - Local Government
HB 83 - Judiciary
HB 86 - Elementary and Secondary Education
HB 88 - Transportation

- HB 89** - Transportation
- HB 90** - Transportation
- HB 93** - Local Government
- HB 94** - Health Care Policy
- HB 95** - Special Committee on Health Insurance
- HB 98** - Special Committee on Senior Citizen Advocacy
- HB 99** - Transportation
- HB 100** - Ways and Means
- HB 103** - Special Committee on Job Creation and Economic Development
- HB 104** - Ways and Means
- HB 105** - Transportation
- HB 106** - Higher Education
- HB 107** - Special Committee on Financial Institutions
- HB 111** - Special Committee on Veterans
- HB 113** - Crime Prevention and Public Safety
- HB 114** - Transportation
- HB 115** - Crime Prevention and Public Safety
- HB 116** - Special Committee on Ticket to Work
- HB 117** - Special Committee on Professional Registration and Licensing
- HB 118** - Special Committee on Homeland Security
- HB 119** - Ways and Means
- HB 121** - Insurance Policy
- HB 122** - Judiciary
- HB 124** - Special Committee on Urban Issues
- HB 125** - Special Committee on Government Affairs
- HB 127** - Ways and Means
- HB 128** - Ways and Means
- HB 129** - Ways and Means
- HB 130** - Ways and Means
- HB 131** - Special Committee on Tax Reform
- HB 133** - Special Committee on Tax Reform
- HB 134** - Higher Education
- HB 135** - Special Committee on Veterans
- HB 136** - Crime Prevention and Public Safety
- HB 157** - Crime Prevention and Public Safety
- HB 165** - Ways and Means
- HB 169** - Transportation
- HB 175** - Crime Prevention and Public Safety
- HB 176** - Ways and Means
- HB 177** - Crime Prevention and Public Safety
- HB 185** - Special Committee on Energy and Environment
- HB 196** - Elementary and Secondary Education
- HB 199** - Local Government
- HB 200** - Transportation
- HB 202** - Special Committee on Retirement
- HB 203** - Health Care Policy
- HB 204** - Health Care Policy

HB 207 - Crime Prevention and Public Safety
HB 208 - Special Committee on Professional Registration and Licensing
HB 209 - Special Committee on Professional Registration and Licensing
HB 210 - Ways and Means
HB 212 - Health Care Policy
HB 213 - Higher Education
HB 216 - Special Committee on Family Services
HB 218 - Special Committee on Tax Reform
HB 219 - Ways and Means
HB 220 - Judiciary
HB 221 - Insurance Policy
HB 222 - Insurance Policy
HB 223 - Crime Prevention and Public Safety
HB 224 - Special Committee on Family Services
HB 226 - Local Government
HB 227 - Special Committee on General Laws
HB 228 - Elementary and Secondary Education
HB 229 - Crime Prevention and Public Safety
HB 233 - Special Committee on Professional Registration and Licensing
HB 234 - Special Committee on Rural Community Development
HB 237 - Special Committee on Financial Institutions
HB 238 - Insurance Policy
HB 244 - Agriculture Policy
HB 245 - Transportation
HB 246 - Transportation
HB 247 - Ways and Means
HB 248 - Ways and Means
HB 256 - Insurance Policy
HB 257 - Special Committee on Retirement
HB 258 - Special Committee on Urban Issues
HB 259 - Elementary and Secondary Education
HB 264 - Elementary and Secondary Education
HB 265 - Elementary and Secondary Education
HB 267 - Elementary and Secondary Education
HB 270 - Ways and Means
HB 271 - Local Government
HB 272 - Special Committee on Tourism
HB 278 - Local Government
HB 288 - Judiciary
HB 296 - Local Government
HB 307 - Special Committee on Senior Citizen Advocacy
HB 310 - Special Committee on Professional Registration and Licensing
HB 320 - Transportation
HB 323 - Ways and Means
HB 338 - Corrections and Public Institutions
HB 340 - Local Government
HB 351 - Special Committee on Tourism

HB 356 - Local Government
HB 366 - Special Committee on State Parks and Waterways
HB 367 - Special Committee on Ticket to Work
HB 368 - Ways and Means
HB 397 - Transportation
HB 398 - Judiciary
HB 399 - Judiciary
HB 401 - Transportation
HB 405 - Crime Prevention and Public Safety
HB 407 - Insurance Policy
HB 408 - Judiciary
HB 416 - Local Government
HB 417 - Special Committee on Student Achievement
HB 418 - Elementary and Secondary Education
HB 419 - Insurance Policy
HB 424 - Special Committee on Health Insurance
HB 427 - Special Committee on Workforce Development and Workplace Safety
HB 428 - Agriculture Policy
HB 429 - Special Committee on Utilities
HB 430 - Crime Prevention and Public Safety
HB 431 - Judiciary
HB 433 - Insurance Policy
HB 434 - Health Care Policy
HB 442 - Higher Education
HB 445 - Crime Prevention and Public Safety
HB 447 - Health Care Policy
HB 450 - Special Committee on Workforce Development and Workplace Safety
HB 458 - Ways and Means
HB 459 - Ways and Means
HB 460 - Elections
HB 461 - Special Committee on State Parks and Waterways
HB 465 - Transportation
HB 466 - Special Committee on Healthcare Facilities
HB 467 - Corrections and Public Institutions
HB 481 - Special Committee on Student Achievement
HB 483 - Special Committee on Professional Registration and Licensing
HB 497 - Special Committee on Professional Registration and Licensing
HB 499 - Crime Prevention and Public Safety
HB 502 - Elections
HB 507 - Crime Prevention and Public Safety
HB 509 - Judiciary
HB 527 - Judiciary
HB 546 - Judiciary
HB 579 - Crime Prevention and Public Safety

HB 590 - Special Committee on General Laws
HB 613 - Higher Education
HB 619 - Special Committee on Homeland Security
HB 678 - Special Committee on Tourism

COMMITTEE REPORTS

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 300**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 352**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Senior Citizen Advocacy, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 453**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 454**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 353**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 2 hours for debate on Perfection**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 20, introduced by Representatives Guest, Jetton, Cooper (120), Icet, Nieves, Dempsey, Self, Ruestman, Kingery, Daus, Dougherty, Dethrow, Bivins, Wells, Meadows, Aull, Kelly, McGhee, Richard, Funderburk, Stream, Wilson (119), Jones (89), Franz, Weter, Dusenberger, Schlottach, Jones (117), Hubbard, Chappelle-Nadal, El-Amin, Hoskins, Fisher, Whorton, Yates, Lowe (44), Swinger, Fallert, Wildberger, Norr, Shively, Kratky, Smith (150), Schad, Wallace, May, Grisamore and Wright, relating to a prohibition on the implementation of the federal REAL ID act.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 14, introduced by Representative Icet, to appropriate money for supplemental purposes for the several departments and offices of state government, and for purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements, and for the payment of various claims for refunds, for persons, firms and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2007.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 693, introduced by Representatives Quinn (7), Jetton, Robb, Day, Ruzicka, Fisher, Munzlinger, Denison, Schad, Cunningham (145), Loehner, Aull, Threlkeld, Franz, Jones (117), Nance, Deeken, Parson, Wright, Kingery, Moore, Wells, Schlottach, Dethrow, Cooper (158) and Sander, relating to large animal veterinary student loan assistance.

HB 694, introduced by Representatives Quinn (7), Jetton, Bearden, Wallace, Wood, Hobbs, Schad, Robb, Fisher, Munzlinger, Loehner, Aull, Threlkeld, Franz, Liese, Denison, Jones (117), Nance, Deeken, Parson, Wright, Kingery, Moore, Wells, Dethrow and Cooper (158), relating to driver's licenses.

HB 695, introduced by Representative Bruns, relating to alcohol and tobacco control.

HB 696, introduced by Representatives Pollock, Faith, Sater, Nieves, Franz, Wells, Denison and Wilson (130), relating to prescription drug formularies.

HB 697, introduced by Representatives Johnson, Hubbard and Nasheed, relating to expungement.

HB 698, introduced by Representatives Walton, Walsh, Hoskins, Hubbard, Chappelle-Nadal and Nasheed, relating to school funding.

HB 699, introduced by Representatives Tilley, Robinson, Bearden, Jetton and Hubbard, relating to motor vehicles.

HB 700, introduced by Representatives Tilley, Smith (14), Munzlinger, Bruns, Wells, Jones (89), Moore, Meadows, Wilson (119), Page, Loehner, Scharnhorst, Wallace, Harris (110) and Schneider, relating to flags.

HB 701, introduced by Representative Tilley, relating to liquor control.

HB 702, introduced by Representative Tilley, relating to brand extensions for beer products.

HB 703, introduced by Representatives Weter, Denison, Sater, Bruns, Moore and Roorda, relating to restricted natural substances.

HB 704, introduced by Representatives Weter, Robb, Parson, Silvey, Stream, Denison, Sater, Bruns, Moore and Roorda, relating to assault of a law enforcement officer, corrections officer, emergency personnel or probation and parole officer.

HB 705, introduced by Representative Loehner, relating to the release of a decedent's information, records and documents.

HB 706, introduced by Representative Skaggs, relating to organ donor registration.

HB 707, introduced by Representatives Spreng, Roorda, Dougherty, Moore, Baker (25), Flook, Young and Walsh, relating to a tax credit for recycling construction waste.

HB 708, introduced by Representatives Guest, Kingery, Fisher, Ruestman, Whorton, Wood and Wallace, relating to driver's licenses.

HB 709, introduced by Representatives Dethrow, Kuessner, Franz, Wilson (119), Wallace, Sater, May, Wells, Sander, Quinn (7), Day, Smith (150), Guest, Schlottach, Whorton and Jetton, relating to qualified bio-mass.

HB 710, introduced by Representatives Munzlinger, Fisher, Hobbs, Richard and Wallace, relating to a sales tax exemption for farm machinery.

HB 711, introduced by Representatives Munzlinger, Weter, Hobbs, Dougherty, Fisher, Harris (110), Wallace, McGhee, Wells and Hunter, relating to exemptions from sales and use taxes.

HB 712, introduced by Representatives Munzlinger, Bivins, Hobbs, Dougherty, Fisher, Wallace, McGhee, Sater and Hunter, relating to motor fuel franchise contracts.

HB 713, introduced by Representatives Komo, Roorda, Frame, Casey, Fallert, Harris (110), Meadows, George, Daus, Walsh, Curls, McClanahan, Corcoran, Wildberger, Whorton, Dougherty, Storch, Donnelly, Lampe, Hodges and Norr, relating to the inclusion of small employers in the state health care plan.

HB 714, introduced by Representatives Cooper (155), Cunningham (145), Stevenson, Jones (89), Ervin, Schaaf, Schad, Dusenberg, Onder, Emery, Threlkeld, Bruns, Nieves, Stream and Thomson, relating to lis pendens.

HB 715, introduced by Representative Bringer, relating to driver's licenses.

HB 716, introduced by Representatives Davis, Dempsey, Cunningham (86), Onder, Schoeller, Icet, Schad, Cox, Schaaf, Sander, Sater, Fisher and Muschany, relating to abortion.

HB 717, introduced by Representatives Day, Jetton, Fisher and Bivins, relating to the distribution of proceeds in the gaming commission fund.

HB 718, introduced by Representatives Pearce, Johnson, Jetton, Tilley, Bruns, Swinger, Nolte, Roorda, McGhee, Kuessner, Wilson (119), Grill, Ruestman, Lampe, Weter, Scavuzzo, Dusenber, Brown (50), Schad, Aull, Kraus, Spreng, Avery, Baker (25), McClanahan, Bringer, Meadows, Villa, Wright-Jones, Whorton, Zweifel, Frame, Casey, Fallert, George, Hodges, Schieffer, Salva, Lowe (44), Kratky, Schoemehl, Low (39), Nasheed, Hughes, Talboy, Chappelle-Nadal, Norr, Oxford, Todd, Quinn (9), Shively, El-Amin, Dougherty, Curls, Walton, Walsh, Wildberger, Meiners, Liese, Bland, Corcoran, Holsman, Vogt, Robinson, Darrough, Komo, Jones (117), Franz, Sater and Wright, relating to vision examinations for school children.

HB 719, introduced by Representatives Ruzicka, Bruns, Tilley, Funderburk, Smith (150), Dusenber, Grisamore, Sater, Jones (89), Hobbs, Lipke, May, Schoeller, Wallace and Cox, relating to emergency vehicles.

HB 720, introduced by Representatives Ruzicka, Hobbs, Tilley, Funderburk, Bruns, Dusenber, Grisamore, Jones (89), Wood, Lipke, May, Schoeller and Cox, relating to hunter orange requirements.

HB 721, introduced by Representative Deeken, relating to election requirements.

HB 722, introduced by Representative Wood, relating to transient guest taxes for certain cities.

HB 723, introduced by Representatives Stevenson and Portwood, relating to the uniform anatomical gift act.

HB 724, introduced by Representative Stevenson, relating to retirement of prosecuting and circuit attorneys.

HB 725, introduced by Representatives Stevenson, Loehner, Munzlinger, Ruzicka, Baker (25), Cox and Fisher, relating to the sale of alternative fueled vehicles.

HB 726, introduced by Representatives Lipke and Bruns, relating to crime.

HB 727, introduced by Representatives Portwood, Threlkeld, Silvey, Norr, Kratky, Scharnhorst and Dougherty, relating to school nurse salary.

HB 728, introduced by Representatives Portwood, Threlkeld, Silvey, Baker (25), Cooper (158) and McGhee, relating to physician provider reimbursement under the state medical assistance program.

HB 729, introduced by Representative Portwood, relating to health insurance codes.

HB 730, introduced by Representatives Nolte, Dixon, Cooper (120), Franz, Jones (117), Cunningham (145), Schoeller, Onder, Stevenson, Moore, Tilley, Wilson (119), Wood, Casey, Sander, Walsh, Sutherland and Brown (50), relating to school days lost due to inclement weather.

HB 731, introduced by Representatives Storch, Chappelle-Nadal, Young, Spreng, Frame, Dougherty, Daus, Yaeger, St. Onge, Schoemehl, Nasheed, Schneider, Roorda, Donnelly and Lampe, relating to utility service.

HB 732, introduced by Representatives Parson, Sater, Quinn (7), Franz, Roorda, Jones (117), Bruns, Self, Wilson (130), Kraus, Nance, Grisamore, Jones (89), Fisher, Whorton, Schoeller, Meadows, Denison, Munzlinger, Young, Wilson (119), Weter, Meiners, Cunningham (86), Page, Scharnhorst, Norr, Wallace and Schad, relating to memorial highway designations.

HB 733, introduced by Representatives Page, Lowe (44), Burnett, Spreng, Daus, Brown (50), Talboy, Oxford, McClanahan, Skaggs, Low (39), Roorda, Vogt, Aull, Zweifel, Darrough, Johnson, Schaaf, Bowman, Meadows, Kuessner, Hoskins, El-Amin, Wildberger, Casey, Norr, Lampe, Harris (110), Scavuzzo, Yaeger, Grill, Rucker, Hubbard, Robinson, Storch, Holsman, Whorton, Threlkeld, Zimmerman, Chappelle-Nadal, Schneider, Witte and Nance, relating to securities regulation.

HR 734, introduced by Representatives Yates, Wilson (130), Kraus, Dusenberg, Fisher, Schneider, Nance, Nolte, Wilson (119), Faith, Ruestman, Scharnhorst, Wallace, Smith (14) and Cunningham (86), relating to group health insurance.

HB 735, introduced by Representatives Cooper (158), Lembke, Hodges, Threlkeld, Stevenson, Wright, Silvey, Lipke, Schoeller, Corcoran, Robb, Richard, Zimmerman, Hubbard, Casey, Portwood, Tilley, Cunningham (86), Quinn (7), Robinson, Villa, Fallert, Denison, Grill, Bivins, Stream, Schlottach, McGhee, Munzlinger, Salva, Schad, Pratt, Moore and Dougherty, relating to public buildings.

HB 736, introduced by Representatives Meiners, Hunter, Walsh, Young, Daus, Villa, Faith, Bland, Burnett, Vogt and Lowe (44), relating to sale of liquor.

HB 737, introduced by Representatives Meiners, Walsh, Lowe (44), Corcoran, Hughes, Vogt, Low (39), Salva, Young, Robb and Schneider, relating to powers of the supervisor of liquor control.

HB 738, introduced by Representatives Schlottach, St. Onge, Faith and Denison, relating to out-of-state show promoters of recreation vehicles.

COMMUNICATIONS

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Capital Improvements and Leases Oversight:

Representative Ed Wildberger
Representative Shalonn Curls

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Corrections:

Representative Brad Robinson
Representative Belinda Harris

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Rachel Bringer to serve on the Joint Committee on Court Automation.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Economic Development, Policy and Planning:

Representative Craig Bland
Representative Terry Swinger

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Education:

Representative Rachel Bringer
Representative Joe Aull
Representative Jason Holsman

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Gaming and Wagering:

Representative Kate Meiners
Representative Jake Zimmerman

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Government Accountability:

Representative Martin Komo
Representative Paul Quinn
Representative Ron Casey

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Legislative Research:

Representative Rachel Bringer
Representative Paul LeVota
Representative Juanita Walton

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Public Employee Retirement:

Representative Mike Daus
Representative Esther Haywood
Representative Patricia Yaeger

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Tax Policy:

Representative Clint Zweifel
Representative Robin Wright-Jones

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Terrorism, Bioterrorism and Homeland Security:

Representative Jeff Roorda
Representative Luke Scavuzzo
Representative Sam Page

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Transportation Oversight:

Representative Mike Daus
Representative Robin Wright-Jones
Representative Ed Schieffer

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Wetlands:

Representative Ron Casey
Representative Belinda Harris

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Craig Bland to serve on the Missouri Job Training Joint Legislative Oversight Committee.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

Mr. D. Adam Crumbliss
Chief Clerk-House Administration
Missouri House of Representatives
State Capitol, Room 201A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that my wife has the interest in the Fee Office in Nixa, Missouri.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Shane Schoeller
State Representative
District 139

January 31, 2007

Mr. D. Adam Crumbliss
Chief Clerk-House Administrator
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I have invested in agriculture value-added cooperatives in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits, loan guarantees or may benefit from incentive funds. I would not have more than a ten percent interest in any of the value-added cooperatives.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Tom Shively
State Representative
District 8

February 1, 2007

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Capitol Building
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation that may be voted on during this legislative session. I have invested in an agriculture value-added cooperative in which I may be eligible to receive new generation cooperative incentive tax credits or loan guarantees. I do not have more than a ten percent interest in the cooperative.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Terry Swinger
State Representative
District 162

February 1, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during this legislative session. I have invested in an agriculture value-added cooperative from which I have received a new generation cooperative incentive tax credit and from which I may be eligible to receive new generation cooperative loan guarantees. I do not have more than a ten percent interest in the cooperative.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

I thank you for your attention to this matter.

Sincerely yours,

/s/ Terry L. Witte
State Representative
District 10

The following member's presence was noted: Walton.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, February 5, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 5, 2007, 1:00 p.m. Hearing Room 6.

Budget overviews of Governor's recommendations for Departments of Agriculture, Natural Resources, and Conservation.

Possible Executive session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 7, 2007, 5:00 p.m. Hearing Room 3.

Budget overviews of Governor's recommendations for Departments of Agriculture, Natural Resources, and Conservation.

Possible Executive session. AMENDED

APPROPRIATIONS - EDUCATION

Monday, February 5, 2007, 11:00 a.m. Hearing Room 1.
Overview from the Coordinating Board of Higher Education and
the Department of Higher Education. METS, MOREnet and E-Mints testimony.
Executive session may follow.

APPROPRIATIONS - EDUCATION

Tuesday, February 6, 2007, 8:00 a.m. Hearing Room 3.
Public testimony focused on new or increased decision items.
Possible Committee discussion on budget decision items.
Executive session may follow.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 5, 2007, 1:00 p.m. Hearing Room 7.
Budgets for the Office of Administration and Department of Revenue.
Possible Executive session.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 5, 2007, 12:00 p.m. Hearing Room 3.
Public and provider testimony to be heard.
Witnesses will be heard in sign up order.
Please contact the chairman's office to add your name as a witness.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 6, 2007, 5:00 p.m. Hearing Room 3.
Presentation by Departments of Labor and Industrial Relations,
Economic Development, and Insurance.
Executive session may be included.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 6, 2007, 12:00 p.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 92, HB 211, HB 301

HIGHER EDUCATION

Tuesday, February 6, 2007, 5:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 250, HB 313

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, February 6, 2007, 9:00 a.m. Side Gallery south side.
Executive session may follow.
Public hearings to be held on: HCS HB 453, HB 454, HCS HB 300, HB 352

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, February 6, 2007, 8:00 a.m. Hearing Room 7.
Public hearings to be held on: HB 487, HB 120

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 327, HB 328

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 5.

Informational meeting.

HOUSE CALENDAR

EIGHTEENTH DAY, MONDAY, FEBRUARY 5, 2007

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 20

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 14

HOUSE BILLS FOR SECOND READING

HB 693 through HB 738

HOUSE BILL FOR PERFECTION

HB 353 - Schaaf

(2 hours debate on Perfection)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

EIGHTEENTH DAY, MONDAY, FEBRUARY 5, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, Your splendor covers the heavens, Your glory fills the earth. Your brightness is like the sunlight; rays stream from Your hand, and there [in the sun like splendor] is the hiding place of Your power.

There are days when our best efforts seem to bear no fruit, when vigorous debates end in a stalemate, numerous hearings yield no movement and times when support diminishes and hope dwindles. We continue, anyway, because You LORD are the source of our strength. You give us the determination to forge ahead and complete the task. You enable us to negotiate the rugged terrain. You, ultimately, bless the work of our hand and grant us success.

May we not be hasty in word or impulsive in thought to bring up a matter before contemplating its impact. Grant us the proper words to speak at the appropriate time; until then, may our words be few.

Now, Lord God, may the meditation of our heart be pleasing to You as we enjoy Your daily provision.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventeenth day was approved as printed by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bearden	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda

Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 007

Daus	Harris 23	Kraus	LeVota	Low 39
Lowe 44	Talboy			

PRESENT: 002

Darrough	Whorton
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ABSENT WITH LEAVE: 012

Avery	Bivins	Bland	Bowman	Brown 30
Cooper 120	Cooper 155	Donnelly	Moore	Robinson
Sutherland	Wasson			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 408 through House Resolution No. 423

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 20 was read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 14 was read the second time.

SECOND READING OF HOUSE BILLS

HB 693 through **HB 738** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 11 - Special Committee on Job Creation and Economic Development

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 14 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 151 - Special Committee on Family Services
HB 152 - Special Committee on Workforce Development and Workplace Safety
HB 170 - Crime Prevention and Public Safety
HB 171 - Crime Prevention and Public Safety
HB 174 - Local Government
HB 182 - Health Care Policy
HB 183 - Transportation
HB 240 - Crime Prevention and Public Safety
HB 241 - Crime Prevention and Public Safety
HB 242 - Health Care Policy
HB 251 - Local Government
HB 255 - Special Committee on Government Affairs
HB 266 - Ways and Means
HB 280 - Special Committee on Utilities
HB 281 - Judiciary
HB 285 - Crime Prevention and Public Safety
HB 289 - Elections
HB 303 - Local Government
HB 304 - Judiciary
HB 309 - Crime Prevention and Public Safety
HB 312 - Special Committee on Government Affairs
HB 325 - Local Government
HB 329 - Special Committee on Financial Institutions
HB 330 - Health Care Policy
HB 343 - Special Committee on Agri-Business
HB 347 - Special Committee on Energy and Environment
HB 350 - Special Committee on Professional Registration and Licensing
HB 361 - Special Committee on Government Affairs
HB 387 - Higher Education
HB 389 - Insurance Policy
HB 420 - Special Committee on Healthcare Facilities
HB 422 - Agriculture Policy
HB 432 - Special Committee on Healthcare Facilities
HB 435 - Health Care Policy
HB 456 - Ways and Means
HB 463 - Health Care Policy
HB 470 - Judiciary

HB 471 - Judiciary
HB 472 - Judiciary
HB 479 - Special Committee on Energy and Environment
HB 480 - Local Government
HB 488 - Special Committee on Job Creation and Economic Development
HB 489 - Special Committee on Student Achievement
HB 490 - Special Committee on Small Business
HB 492 - Corrections and Public Institutions
HB 493 - Special Committee on Family Services
HB 500 - Judiciary
HB 504 - Judiciary
HB 505 - Special Committee on Energy and Environment
HB 508 - Special Committee on Healthcare Facilities
HB 513 - Transportation
HB 514 - Transportation
HB 518 - Judiciary
HB 526 - Judiciary
HB 529 - Transportation
HB 530 - Local Government
HB 531 - Elementary and Secondary Education
HB 573 - Transportation
HB 574 - Transportation
HB 576 - Special Committee on Tourism
HB 600 - Transportation
HB 614 - Special Committee on Government Affairs
HB 620 - Special Committee on Student Achievement
HB 636 - Special Committee on Tax Reform
HB 656 - Special Committee on Professional Registration and Licensing
HB 732 - Crime Prevention and Public Safety

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 739, introduced by Representatives Jones (117), Parson, Roorda, Sater, Self, Schneider, Cooper (155), McGhee, Robinson, Meadows, Franz, Wilson (119), Quinn (7), Schoeller, Hobbs, Witte, Wallace, Cox and Moore, relating to the public safety enhancement fund.

HB 740, introduced by Representative Pearce, to authorize the conveyance of property owned by the state in Johnson County to the City of Warrensburg.

HB 741, introduced by Representatives Pearce and Richard, relating to the Missouri economic development code.

HB 742, introduced by Representatives Nasheed, Johnson, Walton and Hoskins, relating to expungement of certain criminal records.

HB 743, introduced by Representative St. Onge, relating to penalties for motor vehicle-related offenses.

HB 744, introduced by Representative St. Onge, relating to transportation.

HB 745, introduced by Representative Davis, relating to the blindness, education, screening and treatment program fund.

HB 746, introduced by Representatives Franz and Yaeger, relating to police retirement.

HB 747, introduced by Representatives Kelly, Wallace, Franz, Wilson (119), Pollock and Dethrow, relating to participation in an animal identification system.

COMMUNICATION

February 5, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Chief Clerk Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible personal interest in legislation that may be voted on during this legislative session.

As an employee on the administrative side of Lindenwood University, I deal with processing government grants, scholarships, and the majority of student loans for my assigned students from Lindenwood University. One of the main requirements of my job is to make sure that the students receive the best possible grants, scholarships, or student loans they qualify for. Possible legislation regarding grants, scholarships and student loans could impact certain aspects of my employment that could come to the Missouri House of Representatives.

In compliance with Section 105.461, RSMo, would you please publish this letter in the Missouri House of Representatives Journal. If you have any questions, please call my office and I will be more than happy to answer them for you. Thank you for your time and help in this matter.

Respectfully Yours,

/s/ Rep. Joe Smith

The following members' presence was noted: Bivins, Bland, Cooper (120), Cooper (155), Moore, Sutherland and Wasson.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 6, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 7, 2007, 5:00 p.m. Hearing Room 3.

Budget overviews of Governor's recommendations for Departments of Agriculture, Natural Resources, and Conservation.

Possible Executive session. AMENDED

APPROPRIATIONS - EDUCATION

Tuesday, February 6, 2007, 8:00 a.m. Hearing Room 3.

Public testimony focused on new or increased decision items.

Possible Committee discussion on budget decision items.

Executive session may follow.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 5.

Public and provider testimony.

For all parties not heard during morning session, the Committee will reconvene one hour after adjournment in Hearing Room 5. Witnesses heard in sign up order.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 7, 2007, 6:00 p.m. Hearing Room 7.

Corrections budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 2.

Finish Corrections budget presentation.

Possible Missouri Veterans Commission testimony.

Possible Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 6, 2007, 5:00 p.m. Hearing Room 3.

Presentation by Departments of Labor and Industrial Relations, Economic Development, and Insurance.

Executive session may be included.

BUDGET

Wednesday, February 7, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 14

BUDGET

Thursday, February 8, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 14

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 46

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 6, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 92, HB 211, HB 301

HEALTH CARE POLICY

Tuesday, February 6, 2007, 12:00 p.m. Hearing Room 5.

Public hearings to be held on: HJR 11, HB 94, HB 447

HIGHER EDUCATION

Tuesday, February 6, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 250, HB 313, HB 134

INSURANCE POLICY

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 433, HB 238, HB 221

JOINT COMMITTEE ON EDUCATION

Wednesday, February 7, 2007, 5:00 p.m. Senate Committee Room 1.

Election of Chair.

Discuss agenda for upcoming hearing.

JUDICIARY

Tuesday, February 6, 2007, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 220, HB 527, HB 546

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, February 6, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HCS HB 453, HB 454, HCS HB 300, HB 352

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, February 6, 2007, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 159

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 192, HB 216

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, February 6, 2007, Hearing Room 4 upon morning adjournment.

Executive session will follow.

Public hearing to be held on: HB 590

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, February 6, 2007, 8:00 a.m. Hearing Room 7.

Public hearings to be held on: HB 487, HB 120, HCR 16

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, February 6, 2007, 5:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 54, HB 95

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, February 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 466

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 327, HB 328

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, February 7, 2007, 5:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 98, HB 307

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 417, HB 481, HB 620

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, February 6, 2007, 12:00 p.m. Hearing Room 3.

Executive session may follow. AMENDED

Public hearings to be held on: HB 173, HB 172, HB 131, HB 133, HB 218, HB 239, HB 297

SPECIAL COMMITTEE ON TICKET TO WORK

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 40, HB 116, HB 367

SPECIAL COMMITTEE ON TOURISM

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 69, HB 205, HB 272, HB 351, HB 678

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearing to be held on: HB 429

SPECIAL COMMITTEE ON VETERANS

Tuesday, February 6, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 70, HB 111, HB 135

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 369

TRANSPORTATION

Tuesday, February 6, 2007, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 89, HB 245, HB 401, HB 114

HOUSE CALENDAR

NINETEENTH DAY, TUESDAY, FEBRUARY 6, 2007

HOUSE BILLS FOR SECOND READING

HB 739 through HB 747

HOUSE BILL FOR PERFECTION

HB 353 - Schaaf

(2 hours on Perfection)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

NINETEENTH DAY, TUESDAY, FEBRUARY 6, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Holy Spirit of God,
Come to us, remain with us,
And enlighten our hearts.

Guide us by Your wisdom,
Support us by Your power,
For You are God.

You desire justice for all.
Enable us to uphold the rights of others;
Do not allow us to be misled by ignorance
Or corrupted by fear or favor.

Unite us to Yourself in the bond of love
And keep us faithful to all that is true.

May we temper justice with love
So that all our decisions
May be pleasing to You,
And earn the reward
Promised to good and faithful servants.

You live and reign, the one God,
Forever and ever. Amen!

(Adapted from BOOK OF BLESSINGS)

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as printed by the following vote:

AYES: 137

Aull	Baker 25	Bearden	Bivins	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow

Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	Funderburk	Grill	Grisamore
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Tilley	Todd	Viebrock	Villa
Wallace	Walton	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 011

Daus	Donnelly	Flook	George	Harris 23
Kraus	LeVota	Low 39	Lowe 44	Talboy
Walsh				

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 014

Avery	Baker 123	Bland	Bowman	Brown 30
Guest	Haywood	Salva	Schneider	Stevenson
Threlkeld	Vogt	Wasson	Young	

HOUSE RESOLUTION

Representative Jetton, et al., offered House Resolution No. 433.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 424 through House Resolution No. 432

House Resolution No. 434 through House Resolution No. 451

HOUSE CONCURRENT RESOLUTIONS

Representative Dethrow, et al., offered House Concurrent Resolution No. 21.

Representative Dempsey offered House Concurrent Resolution No. 22.

SECOND READING OF HOUSE BILLS

HB 739 through **HB 747** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 300**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 352**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 453**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 454**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR

FEBRUARY 6, 2007

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 453 - Jetton
- 2 HB 454 - Jetton

PERFECTION OF HOUSE BILL

HB 353, relating to Medicaid fraud and abuse, was taken up by Representative Schaaf.

Representative Schaaf offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 353, Page 6, Section 191.907, Line 2, by deleting the number “**13**” and inserting in lieu thereof “**14**”; and

Further amend same section, Page 6, Line 7, by deleting the number “**13**” and inserting in lieu thereof “**14**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 1** was adopted.

Representative Burnett offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 353, Page 6, Section 191.907, Lines 1-14, by deleting said section and inserting in lieu thereof the following:

"191.907. 1. Any person may bring a civil action in the name of the state to recover losses that the state suffers from a violation of sections 191.900 to 191.910. In an action brought under this section, a person who violates subsection 1 to 3 of section 191.905 is liable as provided by subsection 11 of section 191.905. The amount of any civil penalty assessed by the court under this section shall be reduced by the amount of any civil monetary penalty which the person establishes that he or she has paid under the laws of the United States for a violation of 31 U.S.C. section 3729, et seq., as long as such violation is based on the same underlying facts upon which the state action was brought. At the time of filing the complaint, the person shall deliver a copy of the complaint and written disclosure of all material evidence and information the person possesses to the state attorney general. The complaint shall be filed in camera, shall remain under seal for at least one hundred and twenty days, and shall not be served upon the defendant until the court so orders. The attorney general may elect to intervene and proceed with the action within sixty days after it receives both the complaint and the material evidence and information. During the period in which the complaint is under seal, the attorney general may elect to initiate discussions with the accused provider in an attempt to facilitate a resolution of the claim prior to the commencement of judicial proceedings.

2. The attorney general may, for good cause shown, move the court for an extension of the time during which the complaint remains under seal, as provided by subsection 1 of this section. Any such motion may be supported by affidavits or other submissions in camera.

3. Before the expiration of the one hundred and twenty day period or any extensions obtained under subsection 2 of this section, the attorney general shall:

(1) Notify the court and the person initiating the action that it will proceed with the action, in which case the action shall be conducted by the attorney general; or

(2) Notify the court that it declines to take over the action, in which case the action shall be dismissed, notwithstanding any objection by the person initiating the action.

4. When a person files an action under this section, no person other than the attorney general shall intervene or bring a related action based on the facts underlying the pending action.

5. If the attorney general elects to proceed with the action, he or she shall have the primary responsibility for conducting the action, and shall not be bound by any act of the person initiating the action. Such person shall have the right to continue as a party to the action, subject to the limitations set forth in subsection 8 of this section.

6. The attorney general may voluntarily dismiss the action notwithstanding the objections of the person initiating the action, but only if that person has been notified of and offered the opportunity to participate in a hearing on the motion to dismiss.

7. The attorney general may settle the action, notwithstanding the objections of the person initiating the action, but only if that person has been notified of and offered the opportunity to participate in a hearing on the settlement, and if the court determines that the settlement is fair, adequate, and reasonable under the circumstances.

8. Upon a showing by the attorney general that unrestricted participation during the course of the litigation by the person initiating the action would interfere with or unduly delay the attorney general's prosecution of the case, or would be repetitious, irrelevant, or unduly harassing, the court may, in its discretion, impose limitations on the person's participation, such as:

(1) Limiting the number of witnesses the person may call;

(2) Limiting the length of the testimony of witnesses;

(3) Limiting the person's cross-examination of witnesses; or

(4) Otherwise limiting the participation by the person in the litigation.

Upon a showing by the defendant that unrestricted participation during the course of the litigation by the person initiating the action would be unduly harassing, or would cause the defendant undue burden or unnecessary expense, the court may limit the participation by the person in the litigation.

9. Upon a showing, conducted in camera, that actions of the person initiating the action during discovery would interfere with the attorney general's investigation or prosecution of a criminal or civil matter, the court may stay the discovery by the person initiating the action for not more than sixty days. The court may extend the stay upon a further showing that the attorney general is pursuing the investigation or proceeding with reasonable diligence and the discovery would interfere with the ongoing investigation or proceeding.

10. As an alternative to an action authorized by this section, the attorney general may pursue a violation of sections 191.900 to 191.910 through any alternate proceeding available to this state. If the attorney general pursues an alternate proceeding, a person who initiated an action under this section shall have equivalent rights in that proceeding to the rights that the person would have had if the action had continued under this section. Findings of fact and conclusions of law that become final in an alternative proceeding shall become conclusive on the parties to an action under this section. For the purposes of this subsection, a finding or conclusion is final if it has been finally determined on appeal to the appropriate court, if the time for filing an appeal with respect to the finding or conclusion has expired, or if the finding or conclusion is not subject to judicial review.

11. If the parties to an action filed under this section prevail in the action, the court shall award the person who initiated such action necessary expenses, costs, and, based on the amount of effort involved, the court shall award such person twenty to thirty-five percent of the monetary proceeds resulting from the action or any settlement of the claim.

12. If the court finds an action under this section to be based primarily on disclosure of specific information that was not provided by the person initiating the action, such as information from a criminal, civil, or administrative hearing in a state or federal department or agency, a legislative report, hearing, audit, or investigation, or the news media, and the attorney general proceeds with the action, the court shall award the person initiating the action no more than fifteen percent of the monetary recovery in addition to reasonable attorney's fees, necessary expenses, and costs.

13. If the court finds that the person initiating an action under this section planned, initiated, or participated in the conduct upon which the action is brought, the court may reduce or eliminate, as it considers appropriate, the share of the proceeds of the action that the person would otherwise be entitled to receive. A person who is convicted of criminal conduct arising from a violation of sections 191.900 to 191.910 shall not initiate or remain a party to an action under this section and is not entitled to share in the monetary proceeds resulting from the action or any settlement under this section.

14. A person other than the attorney general shall not bring an action under this section that is based on allegations or transactions that are already the subject of a civil suit, criminal investigation or prosecution, or an administrative investigation or proceeding to which the state or the federal government is already a party. The court shall dismiss an action brought in violation of this subsection.

15. Unless the person is the original source of the information, a person, other than the attorney general, shall not initiate an action under this section based on the public disclosure of allegations or transactions in a criminal, civil, or administrative hearing in a state or federal department or agency, a legislative report, hearing, audit, or investigation, or the news media. The person is the original source if he or she had direct and independent knowledge of the information on which the allegations are based and voluntarily provided the information to the attorney general as part of the filing of an action based on that information under this section.

16. The attorney general shall not be liable for any expenses, costs, or attorney's fees that a person incurs in bringing an action under this section. Any amount awarded to a person initiating an action to enforce sections 191.900 to 191.910 is payable solely from the proceeds of the action or settlement.

17. If the attorney general initiates an action for a violation of sections 191.900 to 191.910, or assumes control of an action initiated by a person under this section, the attorney general shall be awarded its reasonable attorney's fees, expenses, and costs.

18. The attorney general shall establish guidelines for enforcing and implementing the provisions of this section. Such guidelines shall be modeled upon the standards established by the "Guidance on the Use of the Civil False Claims Act in Civil Health Care Matters" issued by the United States Department of Justice on June 3, 1998, including any revisions to the standards. In developing such guidelines, the attorney general may solicit comments from health care providers.

19. Venue for an action brought under this section shall be in Cole County.

20. An action brought under this section shall not be brought more than five years after the date on which the violation was committed.

21. Nothing within this section shall be deemed to alter the statutes of limitations provided in section 516.105, RSMo, or section 153.537.100, RSMo."

Speaker Pro Tem Bearden assumed the Chair.

Representative Skaggs offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 353, Page 4, Line 11 from the top of said page, by inserting after said line:

"22. The provisions of this section shall become effective on January 1, following a determination by the Department of Social Services in writing to the revisor of statutes on August 28 of any year that providers will be reimbursed for emergency, office and outpatients services at a rate that is at or above the national average as determined by the Center for Medicare and Medicaid Services. (CMS)".

Representative Skaggs moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Aull	Baker 25	Bland	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Daus	El-Amin
Fallert	Frame	George	Grill	Harris 23
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kuessner	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Nasheed
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Skaggs	Talboy
Todd	Villa	Vogt	Walsh	Walton
Wildberger	Wright-Jones	Yaeger	Young	Zimmerman

NOES: 109

Baker 123	Bearden	Bivins	Brandom	Bringer
Bruns	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Harris 110
Hobbs	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Lampe	Lembke	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter

Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Zweifel	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bowman	Brown 30	Schneider
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Representative Kuessner offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 353, Page 4, Line 11 from the top said page, by inserting after said line:

"22. No civil action shall be brought pursuant to this section against a provider who has gross receipts in the prior six month period of less than 1 million dollars."

Representative Kuessner moved that **House Amendment No. 2 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Burnett moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Roorda offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 353, Page 2, Section 191.900, Line 18, by inserting after the word "person" the following:

"[;], and further including any employee, representative or subcontractor of the State of Missouri delivering, purporting to deliver or arranging for the delivery of any health care;"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 3** was adopted.

Representative Oxford offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 353, Page 4, Section 191.905, Line 47, by inserting immediately after the word "felony":

", and, upon conviction, forever shall be excluded from participation as a provider for the medical assistance program."

On motion of Representative Oxford, **House Amendment No. 4** was adopted by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bringer	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 158	Corcoran	Cox
Cunningham 145	Curls	Darrough	Daus	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Faith	Fallert	Fares	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Schamhorst	Schieffer	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Walsh	Walton	Wasson	Wells	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 016

Brandom	Cooper 120	Cooper 155	Cunningham 86	Day
Emery	Fisher	Hunter	Kelly	May
Pollock	Ruestman	Schaaf	Stevenson	Wallace
Weter				

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Bowman	Brown 30	Schlottach	Wright-Jones
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Representative Talboy offered **House Amendment No. 5**.

Representative Muschany raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Baker (25) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Bill No. 353, Page 10, Section 1, by inserting after said section:

"Section 2. Any funds recouped pursuant to this bill shall be deposited in a fund designated to increase provider reimbursement."

Representative Donnelly offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

House Substitute Amendment No. 1 for House Amendment No. 6 was withdrawn.

Representative Donnelly offered **House Amendment No. 1 to House Amendment No. 6.**

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Bill No. 353, Page 1, Section 2, Lines 5-7, by deleting said lines after the word "funds" and replacing with the following:

"remaining after the appropriation of funds to the attorney general or the prosecuting or circuit attorney pursuant to §191.905.11, which have been appropriated to the state agency responsible for administering the medical assistance program, shall be used to increase Medicaid provider reimbursement until the average Medicaid provider reimbursement equals the average Medicare provider reimbursement for comparable services."

On motion of Representative Donnelly, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Baker (25), **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 154

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson

Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 006

Davis	Hunter	Lembke	Muschany	Portwood
Stevenson				

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery	Bowman	Brown 30
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On motion of Representative Schaaf, **HB 353, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 21 - Rules
HR 68 - Rules
HR 75 - Rules
HR 133 - Rules
HR 136 - Rules
HR 139 - Rules
HR 152 - Rules
HR 232 - Rules
HR 334 - Rules
HR 343 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 353** - Fiscal Review (Fiscal Note)
- HB 551** - Crime Prevention and Public Safety
- HB 625** - Special Committee on Retirement
- HB 637** - Special Committee on Energy and Environment
- HB 673** - Special Committee on Utilities
- HB 674** - Crime Prevention and Public Safety

COMMITTEE REPORTS

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 545** and **HB 590**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tax Reform, Chairman Stevenson reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 444**, **HB 217**, **HB 225**, **HB 239**, **HB 243**, **HB 297**, **HB 402** and **HB 172**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 748, introduced by Representatives Loehner, Quinn (7), Schad, Pollock, Tilley, Parson, Wells, Smith (150), Whorton, Munzlinger and Witte, relating to the family farm livestock loan program.

HB 749, introduced by Representatives Loehner, Smith (150), Jones (117), Ruestman, Cooper (155), Denison, Tilley, Wells, Bandom, Sater and Threlkeld, relating to professional and practical nursing student loan program.

HB 750, introduced by Representative Sutherland, relating to retail sales licenses.

HB 751, introduced by Representative Sutherland, relating to advertising of sales tax absorption.

HB 752, introduced by Representative Sutherland, relating to state historic preservation.

HB 753, introduced by Representatives Dixon, McGhee, Denison, Wells and Smith (150), relating to family and marital therapists.

HB 754, introduced by Representatives Kelly, Moore and Deeken, relating to the department of corrections.

HB 755, introduced by Representative Aull, relating to school food services.

HB 756, introduced by Representatives Jetton, Day, Nance, Onder, Wright, Fisher, Stream, Schaaf, Schoeller, Franz, Bruns, St. Onge, Dusenberg, Schad, Kingery, Moore, Scharnhorst, Bearden, Muschany, May, Faith, Fares, Smith (150), Hobbs, Kelly, Ruestman, Parson, Icet, Silvey, Dempsey, Stevenson, Robb, Denison, Jones (117), Sater, Richard, Funderburk, Flook, Deeken, Grisamore, Dixon, Bivins, Pollock, Wilson (130), Schneider, Schlottach, Cunningham (145), Pearce, Sutherland, Munzlinger, Jones (89), Grill, Meiners, Wood, Corcoran, Weter, Threlkeld, Davis, Dougherty, Hunter, Cooper (120), McGhee, Aull, Wallace, Young, Meadows, Casey, Wildberger, Shively, Marsh, Lampe, Spreng, Robinson, Zimmerman, Norr, Rucker, Kuessner, Chappelle-Nadal, Salva, Cunningham (86), Holsman, Haywood, Quinn (7), Page, Loehner, Storch, Swinger, Hubbard, Hoskins, Hughes, Bland and Walsh, relating to littering.

HB 757, introduced by Representatives Pratt, Dusenberg, Yates, Salva, Meiners, Talboy, Dougherty, Brown (50), Young, Curls, Bland, LeVota, Low (39), Burnett, Holsman, Grisamore, Richard and Kraus, relating to missing persons.

HB 758, introduced by Representatives Brown (50), Darrough, Hoskins, George, Shively, Casey, Wildberger, Curls, Quinn (9), Todd, Pearce, Johnson, Wright-Jones, Oxford, Norr, Cox, Munzlinger, Scharnhorst, Nieves, McGhee, Silvey, Grisamore, Richard, Roorda, Pratt, Haywood, Liese, Wood, Scavuzzo, Schoemehl, El-Amin, Corcoran, Meadows, Kuessner, Dougherty, Robinson, Swinger, Witte, Hughes, Kratky, Nasheed, Yaeger, Storch, Jones (89), Funderburk, Ruzicka, Tilley and Moore, relating to a tax credit for employers who hire high school students for summer jobs.

HB 759, introduced by Representative Munzlinger, relating to joint municipal utility projects.

HB 760, introduced by Representative Burnett, relating to property taxes for museums.

HB 761, introduced by Representatives Cooper (158), Avery, Wilson (119), Page, Ruestman, McGhee, Wallace and Moore, relating to hunter safety courses.

HB 762, introduced by Representatives Cooper (158) and Zimmerman, relating to requests for disclosure of certain news media information.

HB 763, introduced by Representative Parson, relating to garnishments.

HB 764, introduced by Representative Parson, relating to transportation development districts.

HB 765, introduced by Representative Dempsey, relating to medical benefit funds established under the Missouri state retirement system.

HB 766, introduced by Representative Yates, relating to conveyances of water supply equipment.

HB 767, introduced by Representatives Aull, Walsh, McGhee, Fisher, Kingery, Lampe, Bowman and Hughes, relating to private mental health facilities and group homes.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 18**.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, February 7, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 244, HB 370, HB 477

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 7, 2007, 5:00 p.m. Hearing Room 3.

Budget overviews of Governor's recommendations for Departments of Agriculture, Natural Resources, and Conservation.

Possible Executive session. AMENDED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 12, 2007, 1:00 p.m. Hearing Room 5.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.

Possible Executive session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 3.

Budgets for Office of Administration and Department of Revenue.

Possible Executive session.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 5.

Public and provider testimony.

For all parties not heard during morning session, the Committee will reconvene one hour after adjournment in Hearing Room 5.

Witnesses heard in sign up order.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 7, 2007, 6:00 p.m. Hearing Room 7.

Corrections budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 2.

Finish Corrections budget presentation.

Possible Missouri Veterans Commission testimony.

Possible Executive session.

BUDGET

Wednesday, February 7, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 14

BUDGET

Thursday, February 8, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 14

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 46

FISCAL REVIEW

Wednesday, February 7, 2007, 12:00 p.m. House gallery north side.

Any bills that may come to Fiscal Review Committee.

Possible Executive session.

INSURANCE POLICY

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 433, HB 238, HB 221

JOINT COMMITTEE ON EDUCATION

Wednesday, February 7, 2007, 5:00 p.m. Senate Committee Room 1.

Election of Chair. Discuss agenda for upcoming hearing.

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, February 7, 2007, House gallery south side upon morning recess.

Executive session may follow.

Public hearing to be held on: HCS HB 39

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 343, HB 344, HB 348

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 192, HB 216

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HJR 1, HB 189, HB 60, HB 426

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, February 7, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 269, HB 85

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 327, HB 328

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 298, HB 656, HB 117

SPECIAL COMMITTEE ON RETIREMENT

Wednesday, February 7, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 319, HB 202, HB 257

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, February 7, 2007, 5:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 98, HB 307

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 461, HB 75, HB 366

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 7, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 417, HB 481, HB 620

SPECIAL COMMITTEE ON TAX REFORM

Wednesday, February 7, 2007, 5:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 636

SPECIAL COMMITTEE ON TICKET TO WORK

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 40, HB 116, HB 367

SPECIAL COMMITTEE ON TOURISM

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 69, HB 205, HB 272, HB 351, HB 678, HB 576

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearing to be held on: HB 429

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 7, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 369

TRANSPORTATION

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 90

WAYS AND MEANS

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 127, HB 129, HB 210, HB 247, HB 248, HB 368, HB 458, HB 459

HOUSE CALENDAR

TWENTIETH DAY, WEDNESDAY, FEBRUARY 7, 2007

HOUSE BILLS FOR SECOND READING

HB 748 through HB 767

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 453 - Jetton
- 2 HB 454 - Jetton
- 3 HCS HB 300 - Bruns
- 4 HB 352 - Hobbs

HOUSE BILL FOR THIRD READING

HB 353, (Fiscal Review 2-6-07) - Schaaf

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 7, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, our hope is in You; we hang on Your every Word. We trust You.

We know You have a plan for us: a plan to prosper us, not to harm You. Plans to give us a future filled with hope. You have set that plan in motion.

We need strength to stay on course, following Your plan well. We need wisdom to establish reasonable laws for our constituents. We need vision to establish laws that reach into and meet the needs of future generations. Only You can grant such insight, such judgment.

May we plan and consider well the work of our hand and may all our ways be established and ordered properly.

Help us to avoid the self-willed path of destruction as we travel the intense, focused course which lie ahead; turning not to the left or to the right.

Now may the grace of our Lord rest and abide with us all.

For it is in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Rachel Guinn.

The Journal of the nineteenth day was approved as printed.

HOUSE RESOLUTION

Representative Walton, et al., offered House Resolution No. 456.

HOUSE CONCURRENT RESOLUTION

Representative Oxford, et al., offered House Concurrent Resolution No. 23.

SECOND READING OF HOUSE BILLS

HB 748 through **HB 767** were read the second time.

MOTION

Representative Dempsey moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 147

Aull	Baker 25	Bearden	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 011

Daus	George	Komo	LeVota	Low 39
Lowe 44	Skaggs	Talboy	Vogt	Whorton
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Baker 123	Bowman	Brown 30	Hunter
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JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lt. Governor Peter Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of Senators present:

AYES: 033

Barnitz	Bartle	Bray	Callahan	Champion
Clemens	Coleman	Crowell	Days	Engler
Gibbons	Goodman	Graham	Green	Griesheimer
Gross	Justus	Kennedy	Koster	Lager
Loudon	Mayer	McKenna	Nodler	Purgason
Ridgeway	Rupp	Scott	Shields	Shoemyer
Stouffer	Vogel	Wilson		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Smith

The Chief Clerk of the House called the roll, which showed a majority of Representatives present:

AYES: 138

Aull	Bearden	Bivins	Bland	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Kelly	Kingery	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Talboy

PRESENT: 010

Chappelle-Nadal	Darrough	George	Hughes	Komo
Low 39	Lowe 44	Roorda	Spreng	Whorton

ABSENT WITH LEAVE: 014

Avery	Baker 25	Baker 123	Bowman	Brown 30
Cooper 120	Cooper 158	Donnelly	Johnson	Jones 117
Moore	Parson	Smith 150	Stevenson	

STATE OF TRANSPORTATION ADDRESS

by
Pete Rahn

Lt. Governor, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Members of the 94th General Assembly, Members of the Missouri Highways and Transportation Commission and Citizens of Missouri:

Missouri has been shaped by the evolution of transportation. We have been blessed with great natural wonders and by the pioneering spirit of visionaries. Mighty rivers carried the canoes of the first Missourians. Lewis and Clark's keelboat followed close behind providing a gateway to the west and the great steamboats of the late 1800's revolutionized travel and commerce.

Missourians also witnessed the advance of railroads that drove western expansion and economic growth throughout our state. Crude cattle trails with now-famous names became roads and then super interstate highways, and flying contraptions led to bustling airports across Missouri that connected us overnight to the world.

Each improved form of transportation produced greater economic opportunity and increased our personal freedom. Today we enjoy, and frankly take for granted, the finest transportation system in the history of mankind. Our livelihoods, our security, our independence, in essence - our very way of life - depend upon the pavements, waterways, rail and runways that link our vast nation. In the very heart of this system, Missouri has great opportunity and a great responsibility.

It is because of this importance that I am proud to report to you that the state of transportation in Missouri is improving dramatically.

This improvement has been the result of greater investment in our transportation system - investment that creates jobs, personal income, economic activity and revenue for education, health care, public safety and other vital services.

The Missouri Department of Economic Development reports that our 5.7 billion-dollar, five-year statewide transportation improvement program provides an impressive economic benefit to citizens. Ultimately, for every one billion dollars we invest in transportation we generate 3.6 billion dollars in economic activity.

History has demonstrated that investing in transportation has always been of significant value. Transportation is a good investment that returns great yields and leads to a better Missouri. We are seeing the benefits of greater investment in other ways, too.

Our busiest roads are smoother. Seventy-four percent (74%) of Missouri's major highways are now in good condition and drivers are feeling the difference.

Our most traveled highways are safer. We have installed brighter, wider stripes; larger, easier-to-read signs; emergency reference markers; rumble stripes and median guard cables. As a result, 173 fewer people lost their lives in 2006.

According to USA Today, this 14 percent drop is the third largest decrease in traffic fatalities among all states and the District of Columbia. Now, that is a ranking of which we can all be proud.

Ladies and gentleman, our roads are getting smoother and safer, sooner because your Department of Transportation is getting more efficient and effective every day.

This improved effectiveness was illustrated on December 8, 2006. I was pleased to join Governor Blunt in placing a big yellow banner reading "Completed One Year Ahead Of Schedule" on a Smooth Roads Initiative highway sign.

When we set out to use Amendment 3 funds to make Missouri's busiest 2,200 miles of roads smoother and safer in just three years, we thought that would be an extraordinary accomplishment.

In his 2006 State of the State Address, however, the Governor challenged us to deliver the program one year early. And - as soon as I regained consciousness - we started working to meet the Governor's challenge.

Last year we did just that and the words on the banner changed to reflect completion of the vital initiative not just as promised, but one year and 23 days early.

We cannot, however, at this time place a "Completed As Promised" banner on our mission to make Missouri's highways and bridges better. Together, we have made great advancements toward a world-class transportation system, but we have a long way to go. There are, however, positive indicators of our success. We are hearing from customers commenting about the noticeable improvements in Missouri's roads.

In December, we had further proof of drivers feeling the difference in the condition of our highways. A nationwide survey of truckers by Overdrive Magazine ranked Interstates 44 and 70 in Missouri as the second and third most improved highways in the country.

That is a dramatic change from just the previous year when that same magazine ranked I-44 in Missouri as the second-worst highway in the nation and our highways overall were also ranked second-worst.

This is progress, but not victory. During the past year we have announced steps to make further improvements to our state's roads. Just last month, the Missouri Highways and Transportation Commission approved the Better Roads, Brighter Future Program.

If you thought the Smooth Roads Initiative was impressive, just wait until you experience this. Better Roads, Brighter Future is the Smooth Roads Initiative on steroids.

This groundbreaking program will result in 5,600 miles of our busiest highways being smoother and safer by 2012. I would add that 95 percent of Missourians live within 10 miles of these routes.

These better roads will include smooth pavement; brighter, wider striping; larger signs; rumble stripes; and, in most cases, a minimum four-foot paved shoulder. This means that the success of the Smooth Roads Initiative and all of its improvements will now be applied to our entire major highway system.

At the same time, the program will mean a brighter future. Smooth roads increase fuel efficiency by 2.4 percent. That savings will put an additional 100 million dollars back into the pockets of Missouri's drivers.

Additionally, it will create employment opportunities up and down the highways we improve.

But our efforts don't end there. I thank the General Assembly for the authority to use the innovative design-build method to deliver improvements to Missouri's transportation system.

Our first design-build project is Highway 40 in St. Louis or I-64, as we now call it. I-64 will be the largest single construction project in Missouri's highway history and the implemented innovations are unrivaled here or anywhere else in the country.

We have taken a project that would normally create a virtual parking lot on I-64 for seven years and accelerated construction to just three years with the public feeling significant affects for only two. And the resulting benefits will be worth the temporary inconvenience.

We will be rebuilding and upgrading all pavements and bridges and building 12 new interchanges on 10 miles of I-64 including a new high speed interchange at I-170. Our innovative approach has already saved money and time while creating a model workforce development partnership for the region.

On the other side of the state, in Kansas City, we are proceeding with our second design-build project to replace the existing Paseo Bridge. We are calling this project KcICON because it will provide better interstate connections and will be a landmark bridge of which all Missourians can be proud.

KcICON will mean less traffic congestion and greater mobility in the Kansas City area. It also breaks new ground for community involvement. A twelve-member Community Advisory Group has been formed whose members were selected by local officials to provide input and a public perspective regarding the architectural design of the bridge.

The third and final design-build project is our Safe and Sound Bridge Improvement Plan. Safe and Sound will mean more than 800 better bridges by 2012.

With over 10,000 bridges, Missouri has the seventh most of any state in the union. We face a crisis situation as more than 1,000 are structurally in serious condition. Many are one step away from being closed.

Our bold approach to improve our bridges in record time is not only innovative, but also unprecedented. Other states, transportation organizations and national publications are watching this program with great interest.

A team of contractors and designers will be selected to perform all of the work. This approach works well with large, complicated projects and will give us the best possible opportunity to save money and complete the program within its aggressive time schedule.

Each of the bridges will be replaced or repaired and the successful bidder will be required to keep them in good condition for at least 25 years. If their solutions don't perform, we don't pay. That is the ultimate protection of Missouri taxpayers for an extreme make over of Missouri's bridges.

With all of this innovation accelerating our program, and thanks to voter approval of Amendment 3 in 2004, it is little wonder that we have experienced the largest highway construction program in Missouri history.

Missourians benefitted from 1.4 billion dollars invested in road improvements in 2006 meaning that our highways are getting safer and smoother, our state is getting more prosperous and our quality of life is improving.

The people of Missouri trusted us with additional funding through Amendment 3. MoDOT said that we would put that money to quick use improving your state highways. We said what we would do and then we did it. We are on schedule for successful completion of Amendment 3 improvements and to declaring "Completed As Promised."

Our accomplishments, however, have not been limited to highways. We have also worked to improve other modes of transportation in our state.

In June of last year, we began the assessment of Amtrak rail service between St. Louis and Springfield. Additionally, I was proud to certify for operation the MetroLink extension in August. Both of these developments mean the potential for more and better transportation options for Missourians.

We have also made strides toward improving local airports, which are so essential to economic development and business retention. We are currently building an airport with a 5,000-foot runway in Branson West - the 30th such airport in Missouri. This type of airport is essential for accommodating larger business aircraft.

This will be the 7th new airport constructed by MoDOT since 1990. In fact, Missouri has built more new general aviation airports than any state in the nation during this 16-year period.

Missouri's waterways have also seen investment resulting in economic development. A 500,000 dollar grant to the Southeast Missouri Regional Port Authority in Scott City resulted in attraction of a corn milling business.

This economic development resulted in 40 million dollars of investment in the local community and creation of nearly 300 jobs in the area. The investment also helped bring about a nearby ethanol plant now under construction, which means another quarter of a billion dollars in private investment and 450 more jobs.

Unfortunately, with current funding, we cannot say, "Completed As Promised" to becoming a total transportation department. We are called a Department of Transportation, but we are funded like a highway department. We must find ways to increase investment in other modes of transportation.

When we speak of quality of life, we must discuss safety. We have worked hard to make our highways as safe as possible. And our efforts have led to a decrease in fatalities on our roadways.

Accelerating safety improvements under the Smooth Roads Initiative will save an estimated 14 lives and prevent 589 injuries this year. Earlier completion of these safety improvements will also result in a cost savings of more than \$74 million to the traveling public.

Another great life-saving measure has been the installation of median guard cables. Wherever the center median on our interstates is less than 60 feet wide, we have placed these cables. All of I-70 now has them across Missouri. Much of I-44 and I-29 also have these safety features and they will soon be complete on these corridors as well.

You need only to drive a few miles on these routes to witness the effectiveness of guard cables. As you drive, you will see how frequently the cables are being hit. It costs us nearly 4 million dollars per year to repair these strikes and maintain the guard cables overall.

This is money wisely invested, since each instance represents potential lives saved because the cables have proven 95 percent effective at stopping crossover crashes.

Despite the effectiveness of median guard cables and the other measures we have taken to make our highways safer, we all know that it is driver behavior that results in most highway fatalities and serious injuries. The fact is that the most effective "guard cable" is the one you strap across your body when you enter your vehicle.

Unfortunately, not enough people are buckling up. We have seen a drop in safety belt use in Missouri. Usage rates went from 77 percent in 2005 to only 75 percent in 2006. This is the first time since 1998 that safety belt use has not increased.

Even more alarming, safety belt use is lowest among our youngest drivers. Teenagers buckle up only 58 percent of the time, and they make up a disproportionate amount of the people killed and injured in crashes each year.

The facts are clear and convincing. About 68 percent of the people who die in Missouri traffic crashes are not wearing a safety belt. A driver involved in a traffic crash in 2005 had a one in 32 chance of being killed if not wearing a safety belt. In those cases where drivers wore safety belts, their chance of being killed was only one in 1,017.

It is apparent that safety belts save lives, but only if they are worn. Despite our best efforts. Despite unprecedented public education activities. Safety belt use is on the decline in Missouri.

We all know what action would increase safety belt use based on examples from numerous other states. That action is the passage of a primary safety belt law.

I commend the 39 members of the Missouri House of Representatives who have signed on to co-sponsor House Bill 90 - Missouri's primary safety belt act.

As most of you know, that bill number was not an accident. We could save 90 lives per year by enacting a primary safety belt law. Safety belt usage is required by law now. This bill would simply allow for effective enforcement.

Of the more than 500 traffic offenses in Missouri, our safety belt law is the only one that deliberately discourages police enforcement. The effect of the current law is to declare that a cracked taillight or a dirty license plate is a higher priority for law enforcement than life saving safety belts.

It is time to act. We spend billions of dollars making our highways safer. Without spending a dime, we could save 90 lives each year. It is imperative that we make 2007 the year we say, "Completed As Promised" about a primary safety belt law and saving those 90 lives.

That promise, however, will not be fulfilled just once. Each of you who help enact this bill will know that with every year that passes, you have saved another 90 lives.

Unfortunately, we are also losing too many MoDOT workers in the line of duty. In the past five years we have lost nine employees. Last year the General Assembly took an important, life-saving step by making work zone laws stricter and the penalties more severe. I thank you, sincerely.

In 2006, four MoDOT employees lost their lives. Bob Eftink, Robert Mayer, Ken Hoierman and William Crain were killed in the line of duty working to make our transportation system better.

MoDOT team members made many sacrifices over the past year working long hours, including nights and weekends, serving the people of our state. These four gentlemen made the ultimate sacrifice in service to the public.

Relatives of Bob Eftink, Robert Mayer, Ken Hoierman and William Crain are here today. They represent the loved ones they lost and the families of all MoDOT workers who have made great sacrifices for the people of Missouri. I ask them to stand so we can express our appreciation.

We have accomplished great things together over the past year. It is our duty, however, to look toward the future, not to remain in the past. That future will require us to think differently than we have before.

Transportation is too important to be locked into conventional solutions. To address the needs of our future, we will have to look beyond what is currently accepted to what is most effective.

The needs we must address are substantial. By 2012 - just five years from today - there will be nearly 800,000 more large trucks annually on I-44 and greater than 700,000 more large trucks on I-70. This vital commercial traffic will only increase beyond 2012 and will be even higher in urban areas.

We cannot ignore this growing traffic and I am convinced that we must include dedicated truck lanes as part of our solution to separate semis from family sedans on our two most critical roadways - I-70 and I-44.

This will make driving safer and more comfortable for motorists and truckers. This can be accomplished within our current cost estimates of 7.2 billion dollars for improvement to both interstates.

The growing traffic congestion on our interstates will be even worse in urban areas. By the year 2020, drivers on the Poplar Street Bridge in St. Louis will experience three-hour backups during morning peak commute times. We must do everything we can to prevent that from happening.

A New Mississippi River Bridge is critical to the long-term economic health of the St. Louis region. Unfortunately, given current funding, we have no means to pay for this project. It is imperative that we find an innovative solution to paying for this bridge.

This bridge and our interstates are just a portion of the 32,000-mile highway system we maintain - the seventh largest in the country. We have nearly 27,000 miles of lettered routes that are so vital to our overall system. Currently, and for the foreseeable future, we can only try to maintain them in their current condition without any significant improvements.

These routes are particularly important for the movement of crops and agricultural products, which are imperative to the economic health of our state. Without additional funding, we can do little to accommodate the changing nature of farm equipment including the transition from the old two-ton flatbed truck to the tractor-trailer rigs that are so common on today's farms.

In order to rebuild our largest, busiest interstates; to improve our lettered routes; to impact growing urban and suburban congestion; to truly move transportation forward in Missouri, we must find a way to direct more dollars to our roads and other modes of transportation.

We are in the midst of a bubble for funding of highway construction. From the top of this peak we can observe a very low valley. Our current construction program of 1.3 billion dollars, the largest in Missouri history, drops off a cliff in 2010 and plummets to 569 million dollars, which is slightly less than where we were prior to Amendment 3.

I am extremely pleased to see a dialogue about the need for greater transportation funding beginning in the legislature this year. I know that legislation has been introduced that will allow for thoughtful debate about funding highways, bridges and other modes. That is a crucial first step.

As your Department of Transportation, it is our duty to ensure that taxpayers are confident in our ability to utilize additional funding effectively and efficiently. They also expect us to use the money to improve their roads. We have demonstrated our ability to do just that.

When we started the Smooth Roads Initiative, only 47 percent of Missouri's major highways were in good condition. Today, 74 percent of those highways are in good condition.

We have shown that given additional resources we will use them wisely and for their intended purposes. As we were investing record amounts in highway construction, we were only spending two percent of our budget on administration and with no additional full-time staff.

We have applied practical design to our roads and bridges by cutting out the frills and simply meeting needs. We have applied that same concept to administrative expenses and are directing the maximum amount possible to making our transportation system better.

And, we are being recognized for our efforts.

Roads and Bridges magazine said MoDOT, "has turned over a new leaf, and infrastructure repair work started to flourish over the last year."

Midwest Contractor magazine called MoDOT the leader in innovation among the states in its region.

The Kansas City Star said that MoDOT deserves credit for considering "new approaches to financing infrastructure" in regard to our Safe and Sound Bridge Plan.

And, the Jefferson City News Tribune editorialized that MoDOT has gained momentum and that, "The best way to restore credibility is with action, not talk, and the Department has done precisely that."

I am grateful for their comments.

Your Department of Transportation said we would work hard to build credibility with the people of Missouri.

We said we would make your roads smoother

We said we would make your roads safer.

We said we would get the best value out of every taxpayer dollar we have been given.

But we are not prepared to say, "Completed As Promised" to all of those goals because we will always work to do things even better, faster and cheaper.

Our future, however, does show great promise and, together, we can make sure that "Completed As Promised" becomes the motto for transportation in Missouri.

Thank you and may God bless your travels.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 452 through House Resolution No. 455
House Resolution No. 457 through House Resolution No. 528

HOUSE CONCURRENT RESOLUTION

Representative Wilson (130), et al., offered House Concurrent Resolution No. 24.

PERFECTION OF HOUSE BILL

HCS HB 453, relating to donations to food pantries, was taken up by Representative Jetton.

Representative Wildberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 453, Page 2, Section 135.647, Line 18, by inserting after the word "transferable." the words "No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer employs persons who are not authorized to work in the United States under federal law."

On motion of Representative Wildberger, **House Amendment No. 1** was adopted.

Representative Bringer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 453, Page 2, Section 135.647, Line 26, by inserting after the said line, the following:

"No less than fifty percent of the tax credits awarded under this section shall be allocated for contributions to food pantries located in third class counties.".

Representative Bringer moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hubbard	Komo	Kratky
Kuessner	Lampe	Liese	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schad	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Thomson	Todd	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright 159	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

NOES: 093

Baker 123	Bearden	Bivins	Brandom	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hughes	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Yates	Mr Speaker		

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 005

Avery

Brown 30

Johnson

LeVota

Richard

Representative Roorda offered **House Amendment No. 3.***House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 453, Page 2, Section 135.647, Line 21, by deleting the word "two" and replacing with the word "four".

Representative Roorda moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Curls	Darrough	Donnelly
Fallert	Frame	George	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Komo
Lampe	Liese	Low 39	Lowe 44	McClanahan
Meadows	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Talboy	Todd	Vogt	Walsh
Walton	Witte	Wright-Jones	Yaeger	Zimmerman
Zweifel				

NOES: 106

Baker 123	Bearden	Bivins	Brandom	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kratky
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Wasson

Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Young
Mr Speaker				

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 005

Avery	Brown 30	Johnson	Kuessner	LeVota
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Representative Oxford offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 453, Page 2, Section 135.647, Line 18, by inserting after the word "transferable." the words "No individual taxpayer shall be eligible to receive a credit pursuant to this section unless the taxpayer has volunteered for the local food pantry for at least fifty hours in the taxable year the taxpayer is claiming a credit.".

Representative Roorda offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 453, Page 1, Section 135.647, Line 3, by deleting the word "fifty" and inserting in lieu thereof the word "two".

Representative Roorda moved that **House Amendment No. 1 to House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Baker 123	Bowman	Bringer
Brown 50	Burnett	Casey	Corcoran	Curls
Darrough	Davis	Dempsey	Donnelly	El-Amin
Emery	Fallert	Fares	Frame	George
Grill	Harris 23	Harris 110	Haywood	Holsman
Hughes	Komo	Kuessner	Lampe	Liese
Low 39	McClanahan	Meadows	Nasheed	Oxford
Page	Pearce	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	St. Onge	Storch	Swinger
Talboy	Todd	Vogt	Wallace	Walsh
Walton	Wildberger	Witte	Wright-Jones	Zimmerman
Zweifel	Mr Speaker			

NOES: 093

Bearden	Bivins	Bland	Brandom	Bruns
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86

Daus	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Ervin	Faith
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Jones 89	Jones 117	Kelly	Kingery
Kratky	Kraus	Lembke	Lipke	Loehner
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Parson	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schneider	Schoeller	Smith 150	Spreng	Stevenson
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Yaeger	Yates	Young		

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 007

Avery	Brown 30	Cooper 120	Icet	Johnson
LeVota	Schlottach			

HCS HB 453, as amended, with House Amendment No. 4, pending, was laid over.

Speaker Jetton resumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 15**.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HB 15** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Bearden resumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 453, as amended, with House Amendment No. 4, pending, relating to donations to food pantries, was again taken up by Representative Jetton.

Representative Oxford moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Hughes offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 453, Page 1, Section 135.647, Line 9, by inserting after the word "food" the words ", unless such food is donated after the food's expiration date,".

On motion of Representative Hughes, **House Amendment No. 5** was adopted.

Representative Burnett offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 453, Page 2, Section 135.647, Line 18, by inserting after the word "transferable." the words "No taxpayer shall be eligible to receive a credit pursuant to this section if such taxpayer does not offer the taxpayer's full-time employees a health insurance plan.".

Representative Burnett moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hughes
Komo	Kratky	Kuessner	Lampe	Liese
Low 39	Lowe 44	McClanahan	Meadows	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Talboy	Todd	Villa
Vogt	Walsh	Walton	Wildberger	Wright-Jones
Yaeger	Zimmerman	Zweifel		

NOES: 099

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley

Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Young	Mr Speaker	

PRESENT: 001

Nasheed

ABSENT WITH LEAVE: 005

Avery	Brown 30	Dougherty	Johnson	LeVota
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Representative Tilley assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Jetton, **HCS HB 453, as amended**, was adopted.

On motion of Representative Jetton, **HCS HB 453, as amended**, was ordered perfected and printed.

HB 454, relating to supplemental food stamp assistance, was taken up by Representative Jetton.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 454, Section 208.245, Line 1, by deleting the words "Subject to appropriations,".

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Roorda offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 454, Page 2, Section 208.245, Line 13, by deleting the word "thirty" and replacing with "forty"; and

Further amend Page 2, Line 16, by deleting the word "sixty" and replacing with "eighty".

Representative Roorda moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Jetton, **HB 454** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 453 - Fiscal Review (Fiscal Note)

HB 454 - Fiscal Review (Fiscal Note)

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 673 - Special Committee on Energy and Environment

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 353** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Special Committee on Immigration, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HJR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 262**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 263**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 327**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Ticket to Work, Chairman Portwood reporting:

Mr. Speaker: Your Special Committee on Ticket to Work, to which was referred **HB 40**, **HB 116** and **HB 367**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 70**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 369**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 39**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 19, introduced by Representatives Bearden, Jetton, Lembke, Day, Wilson (119), Smith (14), Bivins, Sater, Kelly, Baker (123), Munzlinger, Fisher, Ruestman, Nolte, Dixon, Ervin, Wood, Jones (89), Dempsey, Cooper (120), Self, Nieves, Wells, Funderburk, Icet, McGhee, Thomson, Stevenson, Moore and Schad, relating to the right to pray.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 768, introduced by Representatives Faith, Funderburk, Jones (89), Onder, Fallert, Smith (14), Sutherland and Quinn (7), relating to a sales tax exemption for highway construction materials.

HB 769, introduced by Representatives Bruns and Cooper (158), relating to protections for vulnerable adults and children.

HB 770, introduced by Representative Cox, relating to sheriffs and jailers.

HB 771, introduced by Representatives Bearden, Robb, Muschany, Lembke, Ruestman, Cooper (120), Dempsey, Hunter, Jetton, Icet, Dixon, Funderburk and Dougherty, relating to compensation of school administrators.

HB 772, introduced by Representatives Roorda, Bruns, Page, Hodges, Walsh, LeVota, Meadows, Casey, Komo, Yaeger, Baker (25), Onder, Cox, Scharnhorst, Brown (50), Jones (117), Ruzicka, McGhee and Sater, relating to the list of scheduled drug substances.

HB 773, introduced by Representatives Dusenberg, Roorda, Lipke, Onder, Bruns and Meadows, relating to workers' compensation.

HB 774, introduced by Representatives Jones (89), Jetton, Jones (117), Schoeller, Baker (25), Funderburk, Brown (50), Dixon, Tilley, Ruzicka, Onder, Faith, Komo, Silvey, Grisamore, Guest, Zimmerman, Nieves, Ruestman and Page, relating to the disclosure of news sources and information.

HB 775, introduced by Representative Wasson, relating to employee disqualification list maintained by the department of health and senior services.

HB 776, introduced by Representative Wasson, relating to athletics.

HB 777, introduced by Representative Wasson, relating to crematoriums.

HB 778, introduced by Representative Wasson, relating to professional counselors.

HB 779, introduced by Representative Wasson, relating to marital and family therapists.

HB 780, introduced by Representative Wasson, relating to professional license renewals for military.

HB 781, introduced by Representatives Bivins, Sater, McGhee and Moore, relating to environmental covenants.

HB 782, introduced by Representatives Bivins, Sater, Guest, McGhee and Moore, relating to air pollution emission fees.

HB 783, introduced by Representatives Lampe, Wildberger, Walsh, Robinson, Villa, Grill, LeVota, Baker (25), Oxford, Talboy, Darrough, Roorda, Casey and Schieffer, relating to the director of the department of transportation.

HB 784, introduced by Representative Cooper (120), relating to general bond elections.

HB 785, introduced by Representatives Low (39), Talboy, Norr, Holsman, Nasheed, Darrough, Hughes, Burnett, Skaggs, Corcoran, Lampe, Zimmerman, Storch, LeVota, Lowe (44), Young, Oxford, Casey, Chappelle-Nadal, Curls, El-Amin and Bland, relating to motor vehicle windshield stickers.

HB 786, introduced by Representatives Oxford, McClanahan, Low (39), Donnelly, Walton, Frame, Hubbard, Burnett, Chappelle-Nadal, Johnson, Wright-Jones, Baker (25), Yaeger, Harris (110), Meadows, Roorda, Kuessner, Zimmerman, Threlkeld, Nasheed, Holsman, LeVota, McGhee, Norr, Moore, Young, George, Corcoran, Aull, Casey, Talboy, Daus, Bruns and Scavuzzo, relating to caseload standards for certain state agencies.

HB 787, introduced by Representatives Oxford, Lampe, Nasheed, Chappelle-Nadal, Walton, El-Amin, Daus, Faith, Kuessner, Bland, Meadows, Schoemehl, Storch, Haywood, Swinger, Fallert, George, Corcoran, Talboy, Wright-Jones, Holsman, Page and Yaeger, relating to school class size.

HB 788, introduced by Representatives Cooper (155), Ruestman, Weter, Threlkeld, Muschany, Schad, Sutherland, Wilson (130), Cunningham (145), Sander, Sater, Loehner, Self, Hunter, Lembke, Richard, Lipke, Moore, Nieves, Hobbs, Kingery, May, Schoeller, Day, Tilley, Dixon, Wilson (119), Wallace, Jones (117), Nance, Dethrow, Bearden, Dempsey, Ruzicka, Munzlinger, Grisamore, Parson and Cooper (120), relating to public health emergency preparedness.

HB 789, introduced by Representatives Wilson (130), Sater, Meiners and Nance, relating to the Interstate Insurance Product Regulation Compact.

HB 790, introduced by Representatives Wilson (130), Sater, Meiners and Nance, relating to funding for the department of insurance, financial and professional regulation.

HB 791, introduced by Representatives Wilson (130), Sater, Ruestman, Schlottach, Page, Wright-Jones, Nance, Weter, Wallace and Munzlinger, relating to the provision of certain claims information by health carriers.

HB 792, introduced by Representatives Wilson (130), Moore, Sater and Nance, relating to the state emergency management agency.

HB 793, introduced by Representatives Faith, Nance, Holsman and Dusenberg, relating to motorcycle operator's licenses.

HB 794, introduced by Representative Sutherland, relating to manufactured homes.

HB 795, introduced by Representative Flook, relating to local public improvements.

HB 796, introduced by Representatives Dethrow, Wilson (119) and Wallace, relating to disabled license plates.

HB 797, introduced by Representatives Darrough, Corcoran, Brown (50), Spreng and Zweifel, relating to tax increment financing.

HB 798, introduced by Representatives Darrough, Corcoran and Brown (50), relating to school uniforms.

HB 799, introduced by Representatives Low (39), Wildberger, Dougherty, Bowman, Chappelle-Nadal, Meadows, Roorda, Wright-Jones, Frame, LeVota, Scavuzzo, Rucker, Walsh, El-Amin, Haywood, Fallert, Corcoran, Lampe, Spreng, Schoemehl, Storch and Talboy, relating to the posting of nurse staffing levels at hospitals.

HB 800, introduced by Representatives McGhee, Deeken, Ruestman, Pollock, Smith (14), Kingery, Lembke, Pearce, Dempsey, Marsh, Schaaf, Tilley, Wallace, Schneider, Denison, Brandom, Fisher, Schad, Wells, Wright, Muschany, Parson, Portwood, Davis, Day, Bivins, Casey, Nance, Kratky, Viebrock, Salva, Brown (50), Fallert, Scavuzzo, Kuessner, Dougherty, Loehner, Cooper (120), Nieves, Jones (117), Swinger, Guest, Cooper (158), Faith, Bearden, Richard and Robb, relating to certain parties being allowed to prosecute their claims and defenses without the assistance of an attorney.

HB 801, introduced by Representatives Kraus, Emery, Richard, Viebrock and Schoeller, relating to telecommunications.

HB 802, introduced by Representatives Page, Young, Lowe (44), Talboy, Yaeger, Holsman and Storch, relating to required immunizations for school attendance.

HB 803, introduced by Representatives Portwood, Threlkeld, Smith (150), Deeken, Tilley, Schad, Self, Ruestman, Kingery, Nieves, Schoeller, Jones (117), Lembke, Flook, Schlottach, Loehner, Villa, Day, Franz, Dixon, Low (39), Salva, Meiners, Nolte, Silvey, Cooper (158), Robinson, Bland, St. Onge, Pratt, Robb, Stevenson, Munzlinger, Smith (14), Cooper (155), Dempsey, Lipke, Muschany, Wilson (130), Wilson (119), McGhee, Bruns, Hobbs and Talboy, relating to a tax credit for donations for abused and neglected children.

HB 804, introduced by Representatives Grisamore, Ervin, Kraus, Yates, Nieves, Cunningham (86), Schaaf, Stream, Pratt, Dusenberg, Bruns, Thomson, St. Onge, Muschany, Smith (150), Pearce, Wilson (119), Cooper (155), Sander, Nolte, Schad, Pollock, Faith, Day, May, Richard, Wilson (130), Fares, Silvey, Jones (117), Bivins, Grill, Holsman, Baker (123), Kingery, Deeken, Wasson, McGhee, Weter, Threlkeld, Denison, Cunningham (145), Schoeller, Onder and Scharnhorst, relating to the small business investment tax credit.

HB 805, introduced by Representatives Grisamore, Yates, Kraus, Richard, Pratt, Ervin, Dusenberg, Nolte, Schoeller, Onder, Jetton, Muschany, Flook, Bivins, Tilley, Weter, Thomson, Denison, Jones (89), Nieves, Smith (150), Funderburk, Stream, Cooper (155), Sander, Hobbs, Hunter, Fisher, Robb, Threlkeld, Kelly, Deeken, Cooper (158), Dixon, Cunningham (145), Scharnhorst, Munzlinger, Holsman, Curls, Silvey, Bland, Spreng, Bruns, Cunningham (86), St. Onge, Schaaf, Stream, Pearce, Wilson (119), Schad, Pollock, Faith, Day, May, Wilson (130), Fares, Jones (117), Grill, Baker (123), Kingery, Wasson, Brandom, Sater, Schneider and Scharnhorst, relating to Missouri technology corporation.

HB 806, introduced by Representatives Pratt, Young, Burnett, Salva, Donnelly, Curls, Bland, Wasson, Low (39), Baker (25), Dusenberg, Hughes, Talboy, Roorda, Holsman and Grill, relating to prohibited activities by Kansas City police officers.

HB 807, introduced by Representatives Cunningham (86), Schaaf, Scharnhorst, Stevenson, Hobbs, Emery, Dougherty, Jones (117), Parson, El-Amin, Faith, Hubbard, Robb, Lembke, Threlkeld, Villa, Nieves, Dempsey, Davis, Hughes, Hoskins, Onder, Jones (89), Funderburk, Hunter, Icet, Kratky and Cooper (120), relating to school enrollment.

HB 808, introduced by Representatives Bearden, Hubbard, Hoskins, Robb, Meiners, Muschany, Ruestman, Hunter, Hughes, El-Amin, Stevenson, Bivins, May, St. Onge, Scharnhorst, Richard, Parson, Tilley, Jones (117), Schlottach, Kingery, Emery, Jetton, Faith, Icet, Sander, Nolte, Onder, Schoeller, Cooper (158), Dempsey, Davis, Lembke, Smith (14), Nieves, Cooper (120), Kelly, Portwood, Deeken, Sater, Kratky, Bruns, Cooper (155), Funderburk, Schaaf, Lipke, Villa, Threlkeld and Dougherty, relating to the Betty L. Thompson Scholarship Program.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Walt Bivins is no longer a member of the Special Committee on Veterans.

Representative Belinda Harris is no longer a member of the Corrections and Public Institutions Committee.

Representative Gina Walsh is no longer a member of the Special Committee on Homeland Security.

Representative Bryan Pratt has been appointed a member of the Special Committee on Tax Reform.

Representative Paul Quinn has been appointed a member of the Corrections and Public Institutions Committee and the Special Committee on Homeland Security.

Representative Mike Sutherland has been appointed a member of the Special Committee on Veterans.

Representative Clint Zweifel has been appointed a member of the Special Committee on Tax Reform.

COMMUNICATIONS

February 7, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Connie Johnson to serve on the Joint Committee on Legislative Research.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

February 1, 2007

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

This letter is to advise you that I have been newly appointed to the Board of Directors of St. Mary's Health Center in Jefferson City, Missouri. I receive no compensation for this position.

I would also like to inform you that from time to time, St. Mary's enters into contracts with the State of Missouri. I may or may not be aware of these contracts or when they occur.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Mark J. Bruns

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

February 7, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Adam:

I respectfully request that **House Concurrent Resolution No. 22** be withdrawn. Thank you for your consideration of my request.

Sincerely,

/s/ Tom Dempsey

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, February 8, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 244, HB 370, HB 477

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 12, 2007, 1:00 p.m. Hearing Room 5.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.

Possible Executive session.

APPROPRIATIONS - EDUCATION

Monday, February 12, 2007, 11:00 a.m. Hearing Room 1.

Performance based measures on new or increased decision items related to

Department of Elementary and Secondary Education.

Possible discussion on budget decision items.

Possible Executive session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 12, 2007, 12:00 p.m. Hearing Room 3.

Budgets for Office of Administration and Department of Revenue.

Possible Executive session.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 5.

Public and provider testimony.

For all parties not heard during morning session, the Committee will reconvene one hour after adjournment in Hearing Room 5.

Witnesses heard in sign up order.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 12, 2007, 12:00 p.m. Hearing Room 3.

Public and provider testimony completed before Committee.

Committee will discuss proposals and requests based on testimony given. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 2.

Finish Corrections budget presentation.

Possible Missouri Veterans Commission testimony.

Possible Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 12, 2007, 12:30 p.m. Hearing Room 6.

Public testimony Departments of Labor and Industrial Relations, Insurance, Economic Development, and Transportation.

Executive session may be included.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 13, 2007, 5:00 p.m. Hearing Room 3.

Public testimony from Monday continued, if necessary.

Budget presentations by Departments of Labor and Industrial Relations, and Economic Development.

Executive session may be included.

BUDGET

Thursday, February 8, 2007, Forty five (45) minutes after adjournment. Hearing Room 3.

Executive session may follow. AMENDED

Public hearing to be held on: HB 14

CONSERVATION AND NATURAL RESOURCES

Thursday, February 8, 2007, One (1) hour after adjournment. House Chamber south side.

Executive session will be held on: HB 46

ELEMENTARY AND SECONDARY EDUCATION

Thursday, February 8, 2007, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 469, HB 196, HB 33, HB 38, HB 29

LOCAL GOVERNMENT

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 6.

Executive session may be held.

Public hearings to be held on: HB 325, HB 184, HB 287, HB 81, HB 93, HB 530

RULES

Thursday, February 8, 2007, 1:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HR 21, HR 68, HR 75, HR 133,

HR 136, HR 139, HR 152, HR 232, HR 334, HR 343

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, February 8, 2007, 1:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 70, HCS HB 444, 217, 225, 239, 243, 297, 402 & 172,
HCS HB 545 & 590

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 343, HB 344, HB 348

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, February 8, 2007, Forty five (45) minutes after adjournment. Hearing Room 6.

Executive session.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 298, HB 656, HB 117

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 461, HB 75, HB 366

TRANSPORTATION

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 90

WAYS AND MEANS

Thursday, February 8, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 127, HB 129, HB 210, HB 247,
HB 248, HB 368, HB 458, HB 459

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 8, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 19

HOUSE BILLS FOR SECOND READING

HB 768 through HB 808

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 300 - Bruns
- 2 HB 352 - Hobbs
- 3 HCS HB 39 - Portwood

HOUSE BILLS FOR THIRD READING

- 1 HB 353 - Schaaf
- 2 HCS HB 453 (Fiscal Review 2-7-07) - Jetton
- 3 HB 454 (Fiscal Review 2-7-07) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 8, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

(The increased security measures being discussed for this state Capitol building, suggest prayer for unity in the human family)

Almighty God, Creator of all and Father of the human family, we adore and honor You today.

We acknowledge that the human family is unable to live together as a family. We repent of any guilt we bear personally in this matter.

Keep safe all who enter the doors of this state Capitol. They often enter side by side with others whom they do not know. We pray for the day when all enter together with respect for and a desire to work with one another; we pray for the day when no one will enter with hatred for or fear of others.

Change the hearts of those who would hate or seek the harm of others. Give them hearts of respect for the dignity of every person; give them hearts that seek true justice.

If we have attitudes of arrogance or superiority or any other negative attitude that becomes an excuse for or tempts others to hatred, heal us, Lord God; give us true love of neighbor.

Be with us throughout our work of today. Refresh us through the coming weekend.

We revere You, our God and Father, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as printed.

SPECIAL RECOGNITION

Mark Lamping, President of the St. Louis Cardinals Baseball Team was introduced by Representative Wright-Jones and presented a resolution congratulating the St. Louis Cardinals for winning the 2006 World Series.

HOUSE RESOLUTION

Representative Muschany, et al., offered House Resolution No. 553.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 529 through House Resolution No. 552

House Resolution No. 554 through House Resolution No. 557

HOUSE CONCURRENT RESOLUTIONS

Representative Yates, et al., offered House Concurrent Resolution No. 25.

Representative El-Amin, et al., offered House Concurrent Resolution No. 26.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 19 was read the second time.

SECOND READING OF HOUSE BILLS

HB 768 through **HB 808** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 300, relating to fire protection, was taken up by Representative Brunns.

Representative Pratt assumed the Chair.

Representative Brunns offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 300, Section 320.200, Page 1, Line 1, by inserting immediately preceding said line the following:

"**320.096. 1.** Except as provided in subsection 2 of this section, fire protection districts as defined in section 321.010, RSMo, municipal fire departments and volunteer protection associations, as defined in section 320.300, shall be the sole providers of fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, or special operations, within their legally defined boundaries.

2. Upon the approval by a majority vote of the governing body of a registered fire protection district, municipal fire department, or volunteer fire protection association, any other association, organization, group, or political subdivision may provide the fire suppression and related activities described in subsection 1 of this section, within the legally defined boundaries of such registered fire protection district, municipal fire department, or volunteer fire protection association.

3. Any association, organization, group, or political subdivision denied authorization to provide fire suppression and related activities as provided by subsection 2 of this section may, within thirty days of such denial, appeal such denial to the circuit court with jurisdiction over such registered fire protection district, municipal fire department, or volunteer fire protection association. The appeal shall be a trial de novo in the manner prescribed for nonjury civil proceedings.

4. This section shall not be construed to supersede any provision in chapter 190, RSMo, or chapter 321, RSMo, relating to the formation and operation of any fire protection district, ambulance district, or ambulance service.";

Further amend said substitute, Section 320.310, Page 2, Lines 1-4, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 1** was adopted.

On motion of Representative Bruns, **HCS HB 300, as amended**, was adopted.

On motion of Representative Bruns, **HCS HB 300, as amended**, was ordered perfected and printed.

HB 352, relating to state purchasing and printing, was taken up by Representative Hobbs.

Representative LeVota offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 352, Page 2, Section 178.930, Line 4, by deleting the words "sixty-five" and inserting in lieu thereof the following:

"seventy-five"; and

Further amend House Bill No. 352, Page 2, Section 178.930, Line 6, by deleting the word "Thirteen" and inserting in lieu thereof the following:

"Fifteen"; and

Further amend House Bill No. 352, Page 2, Section 178.930, Line 14, by deleting the words "seventy-five" and inserting in lieu thereof the following:

"eighty-five"; and

Further amend House Bill No. 352, Page 2, Section 178.930, Line 16, by deleting the word "Fifteen" and inserting in lieu thereof the following:

"Seventeen"; and

Further amend House Bill No. 352, Page 3, Section 178.930, Line 24, by deleting the words "eighty-five" and inserting in lieu thereof the following:

"ninety"; and

Further amend House Bill No. 352, Page 3, Section 178.930, Line 26, by deleting the word "Seventeen" and inserting in lieu thereof the following:

"Eighteen"; and

Further amend House Bill No. 352, Page 3, Section 178.930, Line 34, by deleting the word "ninety" and inserting in lieu thereof the following:

"ninety-five"; and

Further amend House Bill No. 352, Page 3, Section 178.930, Line 36, by deleting the word "Eighteen" and inserting in lieu thereof the following:

"Nineteen"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative LeVota, **House Amendment No. 1** was adopted by the following vote:

AYES: 153

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 004

Cooper 120	Flook	Hunter	May
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PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Darrough	Hughes	Quinn 7
Shively				

On motion of Representative Hobbs, **HB 352, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HB 353, relating to Medicaid fraud and abuse, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HB 353** was read the third time and passed by the following vote:

AYES: 156

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 002

Lowe 44 Oxford

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Brown 30	Darrough	Hughes	Parson
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Representative Pratt declared the bill passed.

SIGNING OF HOUSE BILL

Having been duly signed in open session of the Senate, **HB 15** was delivered to the Governor by the Chief Clerk of the House.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 6** - Health Care Policy
- HCR 8** - Special Committee on State Parks and Waterways
- HCR 9** - Special Committee on Tax Reform
- HCR 10** - Crime Prevention and Public Safety
- HCR 12** - Special Committee on Job Creation and Economic Development
- HCR 15** - Rules
- HCR 17** - Special Committee on Job Creation and Economic Development
- HCR 20** - Special Committee on General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 4** - Elections
- HJR 5** - Elections
- HJR 6** - Ways and Means
- HJR 8** - Special Committee on Tax Reform
- HJR 12** - Special Committee on General Laws
- HJR 18** - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 28** - Special Committee on Energy and Environment
- HB 35** - Elementary and Secondary Education
- HB 36** - Ways and Means
- HB 42** - Crime Prevention and Public Safety
- HB 110** - Transportation
- HB 181** - Higher Education
- HB 197** - Judiciary
- HB 331** - Crime Prevention and Public Safety
- HB 333** - Crime Prevention and Public Safety
- HB 412** - Special Committee on Small Business
- HB 446** - Health Care Policy
- HB 494** - Local Government
- HB 495** - Corrections and Public Institutions
- HB 544** - Special Committee on Professional Registration and Licensing

HB 587 - Special Committee on Urban Affairs
HB 617 - Special Committee on Family Services
HB 618 - Health Care Policy
HB 630 - Agriculture Policy
HB 643 - Special Committee on General Laws
HB 665 - Special Committee on Governmental Affairs
HB 675 - Special Committee on Tax Reform
HB 676 - Special Committee on Family Services
HB 679 - Special Committee on Rural Community Development
HB 691 - Special Committee on Family Services
HB 692 - Corrections and Public Institutions
HB 693 - Agriculture Policy
HB 694 - Transportation
HB 698 - Special Committee on Urban Education Reform
HB 708 - Transportation
HB 709 - Agriculture Policy
HB 716 - Special Committee on Family Services
HB 718 - Special Committee on Professional Registration and Licensing
HB 761 - Conservation and Natural Resources
HB 804 - Special Committee on Small Business
HB 805 - Special Committee on Small Business
HB 808 - Special Committee on Student Achievement

COMMITTEE REPORTS

Committee on Budget, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 14**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 1**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 289** and **HB 60**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Healthcare Facilities, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Facilities, to which was referred **HB 466**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tax Reform, Chairman Stevenson reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 636, HB 308 and HB 173**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 70**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 545 & 590**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 809, introduced by Representative Cox, relating to housing funds.

HB 810, introduced by Representative Nasheed, relating to utility service.

HB 811, introduced by Representatives Schad, Scharnhorst, Tilley, Kelly, Deeken, Thomson, Pollock, Sutherland, Cooper (158), Jones (117), Bruns, Fallert, Hodges, Lampe, Quinn (9), Wilson (119), Schlottach, Parson, Kingery, May, Fisher, Franz, Wells, Denison, Loehner, Nance, McGhee, Nieves, Dethrow, Hobbs, Wasson, Wallace, Munzlinger, Schaaf, Wright, Sater, Dougherty, Faith, Witte, Kuessner, Meadows, Threlkeld, Emery and Guest, relating to tree trimming by electric utilities.

HB 812, introduced by Representatives Storch, Deeken, Grill, Schneider, Fallert, Day, Yaeger, Baker (25), Moore, McGhee, Scavuzzo, Donnelly, Low (39), Skaggs, Kratky, Zweifel, May, Wright-Jones, Burnett, Holsman and Pratt, relating to signing petitions illegally.

HB 813, introduced by Representatives Baker (123), Jetton, Icet, Lembke, Nieves, Muschany, Dempsey, Hunter, Ruestman, Hobbs, Flook, Jones (117), Ervin, Kingery, Cooper (120), Loehner, Bearden, Dusenberger, Schoeller, Grisamore, Fisher, Sutherland, Self, Richard, Parson, Nance, Moore, Viebrock, Sater, Wallace, Wood, Kraus, Stream and Threlkeld, relating to tenure at state institutions of higher education.

HB 814, introduced by Representatives Smith (14), Stream, Faith, Kraus, Cunningham (145), Schoeller, Ruzicka, Dixon, Nance, Moore, Meadows, McGhee, Scharnhorst, Onder, Davis and Funderburk, relating to underage drinking.

HB 815, introduced by Representatives Meadows, McClanahan, Frame, Roorda, Yaeger, Komo, Liese, Spreng, Zweifel, Casey, Oxford, Corcoran, Brown (50), Low (39), Fallert, Schoemehl, Swinger, Kratky, Young, George, LeVota, Haywood, Page, Walsh, Holsman, Lampe, Lowe (44), Bowman, Hodges, Grill and Darrough, relating to professional licensing of nurses.

HB 816, introduced by Representatives Funderburk, Smith (14), Davis, Tilley, Jones (89), Onder, Ruzicka, Wallace, Ervin, Brown (50), Dempsey, Wilson (119), Cooper (155), Grisamore, Muschany, Schlottach, Wells, Icet, Smith (150), Cox, Stream, Harris (110), Nasheed, Holsman, Hodges, Self, Jetton and Faith, relating to Missouri dependency exemptions.

HB 817, introduced by Representatives Davis, Funderburk, Bland, Meadows, Ruestman, Dougherty, McGhee, Harris (110), Guest and Cooper (120), relating to the uninsured patients protection act.

HB 818, introduced by Representatives Ervin, Wilson (130), Bearden, Dempsey, Jetton, Yates, Hobbs, Richard, Zimmerman, Emery, Bruns, Pratt, Schneider, Sutherland, Baker (123), Cooper (155), Threlkeld, Kuessner, Grill, Wells, Pollock, Cooper (120), Sater, Robb, Onder, Cunningham (145), Faith, Sander, Thomson, Nolte, Wasson, Davis, Dixon, Nieves, Stevenson, Self, Kraus, Grisamore, Lembke, Dusenberg, Schad, Smith (150), Quinn (7), Schaaf, Schlottach, May, Wilson (119), Dethrow, Portwood, Munzlinger, Moore, Flook, Deeken, Bivins, Page, Pearce, Funderburk, Ruzicka and Holsman, relating to portability and accessibility of health insurance.

HB 819, introduced by Representatives Lowe (44), Talboy, Low (39), Chappelle-Nadal, Storch, Hubbard, Kratky, Burnett, Walsh, Wright-Jones, Dougherty, Oxford, Villa, Zimmerman, Meiners, Vogt, Corcoran, Bland, Daus, Young, Meadows, Baker (25), Darrough, Salva, Wildberger, Rucker, Holsman, Fallert, Robinson, Johnson, Yaeger, Haywood, Harris (23), El-Amin, Aull, Lampe, Brown (50), Hughes, Page, Spreng, Hoskins, Bowman, Zweifel, Schoemehl, George, Nasheed, Donnelly, Curls, Walton, Norr and Schneider, relating to discrimination based on sexual orientation.

HB 820, introduced by Representatives Moore, Sander, McGhee, Cunningham (145), Munzlinger, Wilson (119), Wood, Kelly, Casey, Wallace and Sater, relating to administration of the death penalty.

HB 821, introduced by Representatives Onder, Dempsey, Jones (89), Sander, Bearden, Deeken, Flook, Stevenson, Threlkeld, Fisher, Muschany, Harris (110), Wood, Davis, Cox, Tilley, Smith (14), Smith (150), Ruzicka, Nolte, Schoeller, Cooper (155), Pollock, Cunningham (86), Bruns, Moore, Emery, McGhee, Pearce, Hunter, Nieves, Baker (123), Bivins, Faith, Weter, Schneider and Grisamore, relating to the unborn child pain prevention act.

HB 822, introduced by Representative Jones (117), relating to the release of a lienholder's rights upon the satisfaction of a lien or encumbrance.

HB 823, introduced by Representatives Zweifel, Quinn (9), Villa, Meadows, Nasheed, Corcoran, Harris (23), Whorton, LeVota, Donnelly and Roorda, relating to tax credits.

HB 824, introduced by Representatives Muschany, Cunningham (86), Sater and Schad, relating to school emergency procedures.

HB 825, introduced by Representatives Meadows, Harris (23), Kuessner, Frame, Yaeger, Komo, Witte, Harris (110), Oxford, Casey, Brown (50), Low (39), Fallert, Schoemehl, Swinger, Kratky, Young, Liese, George, LeVota, Haywood, Talboy, Scavuzzo, Holsman, Lampe, Lowe (44), Quinn (9), Spreng, McClanahan, Nasheed, Walsh, Bowman, Salva, Todd, Schieffer, Rucker, Bland, Grill, Darrough, Donnelly, Baker (25) and Shively, relating to preneed funeral contracts.

HB 826, introduced by Representative Flook, relating to court reporter fees.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Tony George is no longer a member of the Special Committee on Tourism.

Representative Juanita Walton has been appointed a member of the Special Committee on Tourism.

MESSAGE FROM THE GOVERNOR

February 8, 2007

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
94th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **House Bill No. 15** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the Department of Social Services, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2007.

On February 8, 2007, I approved said **House Bill No. 15**.

Respectfully submitted,

/s/ Matt Blunt
Governor

COMMUNICATION

February 8, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I am currently serving as an emeritus member of the Southeast Missouri State University Foundation. I also serve on the Sikeston R-IV School Foundation. I receive no remuneration from these boards.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Ellen Brandom
Representative

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday February 12, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 12, 2007, 1:00 p.m. Hearing Room 5.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.
Possible Executive session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 14, 2007, 5:00 p.m. Hearing Room 3.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.
Possible Executive session.

APPROPRIATIONS - EDUCATION

Monday, February 12, 2007, 11:00 a.m. Hearing Room 1.

Performance based measures on new or increased decision items related to Department of Elementary and Secondary Education.
Possible discussion on budget decision items.
Possible Executive session.

APPROPRIATIONS - EDUCATION

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 3.

Department of Elementary and Secondary Education performance based measures on new or increased decision items continued.

Possible Executive session.

Possible discussion on budget decision items.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 12, 2007, 12:00 p.m. Hearing Room 3.

Budgets for Office of Administration and Department of Revenue.

Possible Executive session.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 12, 2007, 12:00 p.m. Hearing Room 3.

Public and provider testimony completed before Committee.

Committee will discuss proposals and requests based on testimony given. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 12, 2007, 12:00 p.m. Hearing Room 7.

Department of Public Safety budget presentation.

Possible Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 12, 2007, 12:30 p.m. Hearing Room 6.

Public testimony Departments of Labor and Industrial Relations, Insurance, Economic Development, and Transportation.

Executive session may be included.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 13, 2007, 5:00 p.m. Hearing Room 3.

Public testimony from Monday continued, if necessary.

Budget presentations by Departments of Labor and Industrial Relations, and Economic Development.

Executive session may be included.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 13, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 240, HB 405, HB 732, HB 551, HB 579, HB 674

ELECTIONS

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 460, HB 67, HB 166

FISCAL REVIEW

Monday, February 12, 2007, Hearing Room 4 upon evening adjournment.

Any other bills that may come to the Fiscal Review Committee.

Possible Executive session. AMENDED

Public hearings to be held on: HCS HB 453, HB 454

HEALTH CARE POLICY

Tuesday, February 13, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 203

HIGHER EDUCATION

Tuesday, February 13, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 442, HB 613

JUDICIARY

Tuesday, February 13, 2007, 12:00 p.m. Hearing Room 1.

No Executive session.

Public hearings to be held on: HB 220, HB 281, HB 526, HB 527

LOCAL GOVERNMENT

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 6.

Executive session may be held.

Public hearings to be held on: HB 325, HB 184, HB 287, HB 81, HB 93, HB 530

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, February 13, 2007, 8:30 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HJR 7, HB 262, HB 263, HCS HB 327,

HCS HB 369, HCS HB 636, 308 & 173, HCS HB 40, 116 & 367

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 343, HB 344, HB 348

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, February 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 488

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 74, HB 234

SPECIAL COMMITTEE ON TOURISM

Monday, February 12, 2007, House Chamber south side upon evening adjournment.

Executive Session. CANCELLED

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 5.

Ice storm response assessment-informational hearing.

NO PUBLIC TESTIMONY. Committee will reconvene at 3:00 p.m.

TRANSPORTATION

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 90

HOUSE CALENDAR

TWENTY-SECOND DAY, MONDAY, FEBRUARY 12, 2007

HOUSE BILLS FOR SECOND READING

HB 809 through HB 826

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 39 - Portwood
- 2 HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 - Jetton
- 3 HCS HB 545 & 590 - Wasson

HOUSE BILL FOR PERFECTION - CONSENT

(2/12/07)

HB 70 - Day

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 453, (Fiscal Review 2-7-07) - Jetton
- 2 HB 454, (Fiscal Review 2-7-07) - Jetton
- 3 HCS HB 300 - Bruns
- 4 HB 352 - Hobbs

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-SECOND DAY, MONDAY, FEBRUARY 12, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

None can compare to You, O Lord! Your exploits are incomparable! For You are great and do amazing things. You alone are God.

You desire truth in the inner being. Make us, therefore, to know wisdom in our heart and grant us perceptive insight. Teach us the walk of integrity.

Heavenly Father, we endeavor to keep our eyes open for You, watching for Your works; staying alert for signs of Your presence. We take strategic moments to pause and breathe in Your goodness.

We thank You for the abundance of Your mercy showered upon us when we have missed the mark. May Your grace, Your unmerited favor, be sufficient for all that we do for the people of this state.

For it is in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-first day was approved as corrected.

HOUSE RESOLUTION

Representative Deeken offered House Resolution No. 565.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 558 through House Resolution No. 564

House Resolution No. 566 through House Resolution No. 579

HOUSE CONCURRENT RESOLUTION

Representative Kuessner, et al., offered House Concurrent Resolution No. 27.

SECOND READING OF HOUSE BILLS

HB 809 through **HB 826** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 39, relating to disabled employees' medical aid, was taken up by Representative Portwood.

Representative Portwood offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 39, Page 2, Section 208.146, Lines 45-47, by deleting said lines and inserting in lieu thereof the following:

"e) A seventy-five dollar a month standard deduction for the disabled worker's dental and optical insurance when the total dental and optical insurance premiums are less than seventy-five dollars."

On motion of Representative Portwood, **House Amendment No. 1** was adopted.

Representative Lembke offered **House Amendment No. 2**.

Representative Stevenson raised a point of order that the distribution of **House Amendment No. 2** was not timely.

The Chair ruled the point of order well taken.

Representative Stevenson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 39, Page 8, Section 208.151, Line 149, by deleting the word "**through**" and inserting in lieu thereof the following:

"**by individuals eligible for**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 3** was adopted.

Representative Baker (25) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 39, Page, 3, Section 208.146, Line 51, by deleting the words "one-half" and replace with "three-fourths".

Representative Baker (25) moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bringer	Brown 50	Burnett
Chappelle-Nadal	Corcoran	Curls	Daus	Donnelly
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

NOES: 089

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bland	Bowman	Brown 30	Casey
Darrough	Dixon	Todd		

Representative Donnelly offered **House Amendment No. 5**.

Representative Jones (89) raised a point of order that **House Amendment No. 5** is not germane to the bill.

Representative Pratt raised an additional point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the second point of order well taken.

Representative Donnelly appealed the ruling of the Chair.

The ruling of the Chair was sustained by the following vote:

AYES: 092

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Young	Mr Speaker			

NOES: 062

Aull	Baker 25	Bringer	Brown 50	Burnett
Chappelle-Nadal	Corcoran	Curls	Daus	Donnelly
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Vogt	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 008

Avery	Bland	Bowman	Brown 30	Casey
Darrough	Dixon	Todd		

Representative Skaggs offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 39, Page 3, Section 208.146, Line 56, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**four**”; and

Further amend said bill, Page 3, Section 208.146, Line 59, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**four**”; and

Further amend said bill, Page 3, Section 208.146, Line 62, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**four**”; and

Further amend said bill, Page 3, Section 208.146, Line 65, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**four**”; and

Further amend said bill, Page 3, Section 208.146, Line 68, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**four**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 6**.

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 39, Page 3, Section 208.146, Line 56, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**four**”; and

Further amend said bill, Page 3, Section 208.146, Line 59, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**four**”; and

Further amend said bill, Page 3, Section 208.146, Line 62, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**five**”; and

Further amend said bill, Page 3, Section 208.146, Line 65, by deleting the words “**seven and one-half**” and inserting in lieu thereof the following:

“**six**”; and

Further amend said bill, Page 3, Section 208.146, Line 68, by deleting the words “seven and one-half” and inserting in lieu thereof the following:

“seven”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 6** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

HCS HB 39, as amended, with House Substitute Amendment No. 1 for House Amendment No. 6, and House Amendment No. 6, pending, was laid over.

Representative Wasson assumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 300, relating to fire protection, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS HB 300** was read the third time and passed by the following vote:

AYES: 154

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace

Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bland	Bowman	Brown 30	Casey
Darrough	Dixon	Lembke	Todd	

Representative Wasson declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 352 - Fiscal Review (Fiscal Note)
HB 452 - Special Committee on Energy and Environment
HB 498 - Special Committee on Urban Education Reform
HB 690 - Special Committee on Student Achievement
HB 774 - Special Committee on General Laws

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 808 - Special Committee on Urban Education Reform

COMMITTEE REPORT

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 16, introduced by Representative Icet, to appropriate money for supplemental purposes for the several departments and offices of state government, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2007.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 20, introduced by Representatives Bearden, Jetton, Icet, Self, Nieves, Dixon, Ruestman, Dempsey, Ervin, Baker (123), Funderburk, McGhee, Davis, Emery, Muschany, Hunter, Cooper (155), Parson, Schad, Jones (117), Pollock, Dougherty, Threlkeld, Scharnhorst, Robb, Day, Loehner, Lembke, Franz, Pratt, Flook, Cooper (120), Hobbs, Quinn (7), Smith (14), Sater, Wood, Brandom and Stevenson, relating to the commonsense obligation to provide accountability and spending stabilization act.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 827, introduced by Representatives Muschany, Corcoran, Robb, Baker (123), Aull, Fares, Franz, Cunningham (86), Stream, Sater, Meiners, Tilley, Brown (50), Kingery, May, Smith (150) and Sutherland, relating to educational needs of children in licensed residential care facilities.

HB 828, introduced by Representatives Viebrock, Wood, Funderburk, Whorton and McGhee, relating to residential and commercial septage pumpers.

HB 829, introduced by Representative Wasson, relating to real estate appraisers.

HB 830, introduced by Representative Wasson, relating to optometry licenses.

HB 831, introduced by Representative Wasson, relating to the board of pharmacy.

HB 832, introduced by Representative Wasson, relating to the licensing of nursing home administrators.

HB 833, introduced by Representative Wasson, relating to the licensing of tattoo practitioners and establishments.

HB 834, introduced by Representative Deeken, relating to the costs of special elections.

HB 835, introduced by Representative Yates, relating to registration for cosmetology-related professions.

HB 836, introduced by Representatives Dougherty, Jetton, McGhee, Bearden, Jones (117), Nieves, Liese, Swinger, LeVota, Ervin, Smith (14), Robinson, Kratky, Burnett and Corcoran, relating to annexation.

HB 837, introduced by Representatives Cooper (155) and Stevenson, relating to child visitation.

HB 838, introduced by Representatives Jones (117) and Roorda, relating to closed records.

COMMUNICATION

February 12, 2007

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Clerk:

Per RSMo 105.461, I am informing you that on January 18, 2007, I was appointed as a Board Member of Valley Industries, Hazelwood, Missouri. Valley Industries, a sheltered workshop, does receive some funding from the state in a manner similar to other workshops.

Please contact me if you have any questions.

Sincerely,

/s/ Clint Zweifel
State Representative
District 78

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 13, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-first Day, Thursday, February 8, 2007, Page 338, Line 2, by deleting the word "Affairs" and inserting in lieu thereof the word "Issues"; and

Further correct said page, Line 33, by deleting "**HB 289**" and inserting in lieu thereof "**HB 189**".

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 14, 2007, 5:00 p.m. Hearing Room 3.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.
Possible Executive session.

APPROPRIATIONS - EDUCATION

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 3.

Department of Elementary and Secondary Education performance based measures on new or increased decision items continued.

Possible Executive session.

Possible discussion on budget decision items.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget presentation.

Committee will reconvene one hour (1) after adjournment in Hearing Room 5 for additional budget review.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 3.

Department of Public Safety budget presentation.

Possible Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 13, 2007, 5:00 p.m. Hearing Room 3.

Public testimony from Monday continued, if necessary.

Budget presentations by Departments of Labor and Industrial Relations, and Economic Development.

Executive session may be included.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 13, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 240, HB 405, HB 732, HB 551, HB 579, HB 674

ELECTIONS

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 460, HB 67, HB 166

HEALTH CARE POLICY

Tuesday, February 13, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 203

HIGHER EDUCATION

Tuesday, February 13, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 442, HB 613

INSURANCE POLICY

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 77, HB 261, HB 419, HB 121

JUDICIARY

Tuesday, February 13, 2007, 12:00 p.m. Hearing Room 1.

No Executive session.

Public hearings to be held on: HB 220, HB 281, HB 526, HB 527

LOCAL GOVERNMENT

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 6.

Executive session may be held.

Public hearings to be held on: HB 325, HB 184, HB 287, HB 81, HB 93, HB 530

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, February 13, 2007, 8:30 a.m. Hearing Room 2.

Executive session may follow. AMENDED

Public hearings to be held on: HJR 7, HB 262, HB 263, HCS HB 327,

HCS HB 369, HCS HB 636, 308 & 173, HCS HB 40, 116 & 367,

HCS HJR 1, HCS HB 14, HCS HB 189 & 60

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 343, HB 344, HB 348

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 716

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, February 13, 2007, 4:30 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 180, HB 215, HB 227

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, February 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 155, HB 118, HB 619

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 488

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 74, HB 234

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 365, HB 804, HB 805

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Tuesday, February 13, 2007, 4:00 p.m. Senate Committee Room 1.

Missouri Chamber of Commerce presentation on METS and State Scholars.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 489, HB 690

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, February 13, 2007, 12:00 p.m. Hearing Room 3.

Executive session may follow. AMENDED

Public hearings to be held on: HB 218, HB 675, HJR 8, HCR 9

SPECIAL COMMITTEE ON TOURISM

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 1.

Executive session.

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, February 13, 2007, 5:00 p.m. Hearing Room 7.

Public hearing to be held on: HB 41

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 5.

Ice storm response assessment-informational hearing.

NO PUBLIC TESTIMONY.

Committee will reconvene at 3:00 p.m.

SPECIAL COMMITTEE ON VETERANS

Tuesday, February 13, 2007, 12:00 p.m. Hearing Room 7.

Executive session. AMENDED

TRANSPORTATION

Tuesday, February 13, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 90

HOUSE CALENDAR

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 13, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 20

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 16

HOUSE BILLS FOR SECOND READING

HB 827 through HB 838

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 39, as amended, HSA 1 for HA 6, HA 6, pending - Portwood
- 2 HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 - Jetton
- 3 HCS HB 545 & 590 - Tilley

HOUSE BILL FOR PERFECTION - CONSENT

(2/12/07)

HB 70 - Day

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 453, (Fiscal Review 2-7-07) - Jetton
- 2 HB 454, (Fiscal Review 2-7-07) - Jetton
- 3 HB 352, (Fiscal Review 2-12-07) - Hobbs

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 13, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Msgr. Donald W. Lammers.

(From a prayer attributed to Abraham Lincoln. Let it be our prayer this morning.)

God bless our native land;
Firm may she ever stand
Through storm and night;
When the wild tempests rave,
O Ruler of wind and wave,
Thou Who art strong to save,
Be Thou her might!

For her our prayer shall be,
Our father's God, to Thee,
On Whom we wait;
Be her walls, holiness -
Her rulers righteousness,
In all her homes be peace,
God save the State!

Not for this land alone,
But be God's mercies shown
From shore to shore
And may the nations see
That men should brothers be,
And form one family
The wide-world o'er.
(Amen.)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Samantha Osterloh, Paige Steiner, Jessica Talley and Gina Battger.

The Journal of the twenty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 580 through House Resolution No. 593

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 20 was read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 16 was read the second time.

SECOND READING OF HOUSE BILLS

HB 827 through **HB 838** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 352** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 453** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 454** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL

HCS HBs 545 & 590, relating to the practice of pharmacy, was taken up by Representative Tilley.

Representative Schaaf offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 545 & 590, Page 1, Section 338.010, Line 2, by deleting after the word "**medical**" the following:

"**or veterinary**"; and

Further amend House Committee Substitute for House Bill Nos. 545 & 590, Page 1, Section 338.010, Line 7, by deleting after the word "**medical**" the following:

"**or veterinary**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 1** was adopted.

Representative Page offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 545 & 590, Page 1, Section 338.010, Line 8, by inserting after the word "of" the words "**viral influenza**"; and

Further amend said bill, Page 1, Section 338.010, Line 8, by inserting after the word "**physician**" the following:

"for persons twelve years of age or older as authorized by rule"; and

Further amend said bill, Page 2, Section 338.010, Line 42, by inserting after the word "**services**" the following:

"and administration of viral influenza vaccines"; and

Further amend said bill, Page 2, Section 338.010, Line 48, by inserting after the word "**services**" the following:

"and administration of viral influenza vaccines"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 2** was adopted.

On motion of Representative Tilley, **HCS HBs 545 & 590, as amended**, was adopted.

On motion of Representative Tilley, **HCS HBs 545 & 590, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HCS HB 453, relating to donations to food pantries, was taken up by Representative Jetton.

On motion of Representative Jetton, **HCS HB 453** was read the third time and passed by the following vote:

AYES: 152

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Kelly 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39

Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bland	Bowman	Brown 30	Casey
Funderburk	Harris 23	Haywood	Moore	Todd
Yaeger				

Speaker Pro Tem Bearden declared the bill passed.

HB 454, relating to supplemental food stamp assistance, was taken up by Representative Jetton.

On motion of Representative Jetton, **HB 454** was read the third time and passed by the following vote:

AYES: 141

Aull	Baker 25	Bearden	Bivins	Brandom
Bringer	Brown 50	Bruns	Burnett	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	El-Amin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Robinson

Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	St. Onge	Storch	Stream
Swinger	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 011

Baker 123	Davis	Dusenberg	Emery	Ervin
Hunter	Muschany	Pratt	Stevenson	Sutherland
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bland	Bowman	Brown 30	Casey
Funderburk	Harris 23	Haywood	Rucker	Todd
Yaeger				

Speaker Pro Tem Bearden declared the bill passed.

HB 352, relating to state purchasing and printing, was taken up by Representative Hobbs.

On motion of Representative Hobbs, **HB 352** was read the third time and passed by the following vote:

AYES: 152

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo

Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Nasheed

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bland	Bowman	Brown 30	Casey
Funderburk	Harris 23	Haywood	Todd	Yaeger

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 39, as amended, with House Substitute Amendment No. 1 for House Amendment No. 6 and House Amendment No. 6, pending, relating to disabled employees' medical aid, was taken up by Representative Portwood.

Representative Storch offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6.**

Representative Jones (89) raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

On motion of Representative Portwood, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted.

On motion of Representative Portwood, **HCS HB 39, as amended,** was adopted.

On motion of Representative Portwood, **HCS HB 39, as amended,** was ordered perfected and printed by the following vote:

AYES: 151

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran

Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 002

Emery Ervin

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bland	Bowman	Brown 30	Casey
Funderburk	Harris 23	Haywood	Todd	Yaeger

HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, relating to a deduction for social security, was taken up by Representative Jetton.

Representative Whorton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 444, 217, 225, 239, 243, 297, 402 & 172, Section 143.125, Page 1, Line 5, after all of said line, add the following:

", or any individual retirement plan yields of capital gains or taxable interest of \$6,000 or less;"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, with House Amendment No. 1, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 16 - Budget

HB 554 - Health Care Policy

HB 555 - Health Care Policy

HB 633 - Special Committee on Professional Registration and Licensing

HB 686 - Special Committee on Senior Citizen Advocacy

COMMITTEE REPORTS

Special Committee on Immigration, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 269**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tourism, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 205**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 90**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 40, 116 & 367**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 189 & 60**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 262**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 263**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 327**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 369**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 636, 308 & 173**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 21, introduced by Representative Cooper (120), relating to the taxing jurisdiction of local governments.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 839, introduced by Representatives Wallace, Richard, McGhee, Wood, Viebrock, Parson, Lampe, Sater, Nolte, Schneider, Bearden, Cunningham (145), Wilson (119), Schoeller, Roorda, Moore, Icet, Funderburk and Kingery, relating to loss of attendance due to inclement weather.

HB 840, introduced by Representative Loehner, relating to agricultural tax credits.

HB 841, introduced by Representative Loehner, relating to the AgriMissouri marketing program.

HB 842, introduced by Representatives Cooper (158) and McGhee, relating to metallic minerals waste management.

HB 843, introduced by Representatives Low (39), Skaggs, Meadows, Talboy, LeVota, Shively, George, Scavuzzo and Lowe (44), relating to the general assembly.

HB 844, introduced by Representatives Low (39), Talboy, Nasheed, Norr, Curls, Hughes, Meadows, Frame, Lowe (44), Storch and Holsman, relating to driver's licenses.

HB 845, introduced by Representatives Dixon, Stevenson, Cunningham (145), Kratky, Munzlinger, Emery, Silvey, Self, Young, Stream, Weter, Page, Ruestman, Nieves, Icet, Jetton, Bearden, Dempsey, Sander, Marsh, Schoeller, Viebrock, Denison, Wells, Wasson and Smith (14), relating to voter registration for hunting and fishing permit applicants.

HB 846, introduced by Representatives Dixon, Marsh and Schoeller, relating to clerks of courts of record.

HB 847, introduced by Representatives Dixon, Schoeller, Marsh, Denison, Wasson and Lampe, relating to family court commissioners.

HB 848, introduced by Representatives Dixon, Schoeller, Marsh, Viebrock and Wasson, relating to circuit court judges.

HB 849, introduced by Representatives Dixon, Fisher, Cunningham (145), Sater, Moore, Silvey, Viebrock, Denison, Bivins, Wilson (119), Wood, Ruestman, Schoeller and Wasson, relating to Internet sex crimes against children.

HB 850, introduced by Representatives Dixon, Marsh, Schoeller, Viebrock, Denison, Wilson (130) and Wasson, relating to the disaster damage emergency loan revolving fund program.

HB 851, introduced by Representatives Onder, Nolte, Wildberger, Dougherty, Cunningham (86), Dempsey, Muschany, Scharnhorst, Tilley, Nieves, Jones (89), Ruzicka, Schoeller, Emery, Weter, Dusenberg, Lembke, Yates, Sater and Sander, relating to highway patrol enforcement of federal immigration laws.

HB 852, introduced by Representatives Jones (89) and Smith (150), relating to service of summons.

HB 853, introduced by Representatives Jones (89) and Smith (150), relating to annual judicial reports.

HB 854, introduced by Representatives Stream, Fisher, Scharnhorst, Grill, Storch, Kraus, Grisamore, Talboy, Komo, Holsman, Brown (50), Bearden and Hobbs, relating to media access at certain sports stadiums.

HB 855, introduced by Representatives Cunningham (86), Pearce and Kratky, relating to manufactured homes.

COMMUNICATION

February 13, 2007

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Clerk:

Per RSMo 105.461, I am informing you that I serve as a board member of Laclede Industries in Lebanon, Missouri. Laclede Industries, a sheltered workshop, does receive some funding from the state in a manner similar to other workshops.

Please contact me if you have any questions.

Sincerely,

/s/ Darrell Pollock
State Representative
District 146

The following members' presence was noted: Harris (23) and Haywood.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, February 14, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 428, HB 693

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 14, 2007, 5:00 p.m. Hearing Room 3.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.

Possible Executive session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 19, 2007, 1:00 p.m. Hearing Room 4.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.

Possible Executive session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 14, 2007, 2:15 p.m. Hearing Room 3.

Office of Administration. Facilities Management/Design and Construction. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget presentation.

Committee will reconvene one hour (1) after adjournment in Hearing Room 5 for additional budget review.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 3.

Department of Public Safety budget presentation.

Possible Executive session.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 14, 2007, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 228, HB 264, HB 265, HB 267

INSURANCE POLICY

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 77, HB 261, HB 419, HB 121

SPECIAL COMMITTEE ON AGRI-BUSINESS

Wednesday, February 14, 2007, House Chamber south gallery upon morning adjournment.

Executive session.

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 716

SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: HB 155, HB 118, HB 619

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 488

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 233, HB 310, HB 544

SPECIAL COMMITTEE ON RETIREMENT

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 625

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 365, HB 804, HB 805

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HCR 8

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 14, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 489, HB 690

SPECIAL COMMITTEE ON TOURISM

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 1.

Executive session.

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Wednesday, February 14, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 698, HB 808

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 5.

Ice storm response assessment - informational hearing. NO PUBLIC TESTIMONY.

Committee will reconvene at 3:00 p.m.

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 14, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 61, HB 427

WAYS AND MEANS

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 3.

Executive session.

Public hearings to be held on: HB 165, HB 368

HOUSE CALENDAR

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 14, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 21

HOUSE BILLS FOR SECOND READING

HB 839 through HB 855

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 1 - Cunningham (86)
- 2 HJR 7 - Nieves

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 444, 217, 225, 239, 243, 297, 402 & 172, HA 1, pending - Jetton
- 2 HCS HB 189 & 60 - Jones (117)
- 3 HB 262 - Nieves
- 4 HB 263 - Nieves
- 5 HCS HB 327 - Richard
- 6 HCS HB 369 - Fisher
- 8 HCS HB 636, 308 & 173 - Kraus
- 9 HCS HB 40, 116 & 367 - Portwood

HOUSE BILL FOR PERFECTION - CONSENT

(2/12/07)

HB 70 - Day

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 14, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Pastor Ron Webb, Mt. Calvary Powerhouse Church, Poplar Bluff, Missouri.

Almighty God, who hast given us this good land for our heritage; we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our nation with honorable industry, sound learning, and pure manners.

Save us from violence, discord, and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy Name we entrust the authority of government, that there may be justice and peace at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth.

In the time of prosperity, fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail; all which we ask through Jesus Christ our Lord. Amen.

(Adapted Philadelphia Presbyterian, 1905)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Natalie Calvo, Trevor Crainshaw, Matt Dear, Matt Mistler and Isaiah Alan Harris.

The Journal of the twenty-third day was approved as printed.

SPECIAL RECOGNITION

The Harrisonville R-IX Wildcats Football and Softball teams were introduced by Representative Scavuzzo and recognized for attaining the 2006 Class 3 State Football and Softball Championships.

Lou Brock and the Reverend Jackie Brock were introduced by Representatives Bearden, Dempsey and Schneider and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 594 through House Resolution No. 620

HOUSE CONCURRENT RESOLUTIONS

Representative Walton, et al., offered House Concurrent Resolution No. 28.

Representative Baker (25), et al., offered House Concurrent Resolution No. 29.

Representative Pratt, et al., offered House Concurrent Resolution No. 30.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 21 was read the second time.

SECOND READING OF HOUSE BILLS

HB 839 through **HB 855** were read the second time.

MOTION

Representative Dempsey moved that Rule 46(a) be suspended for the limited purpose of allowing amendment number 0761L05.07H to be offered to **HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172** as a result of a distribution error.

Which motion was adopted by the following vote:

AYES: 150

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson

Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 005

Daus	George	Roorda	Skaggs	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bowman	Brown 30	Bruns	Casey
Funderburk	Todd	Yaeger		

PERFECTION OF HOUSE BILL

HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, with House Amendment No. 1, pending, relating to a deduction for social security, was taken up by Representative Jetton.

Representative Zweifel offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Pratt raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment and goes beyond the scope of the amendment and the underlying bill.

The Chair ruled the second point of order well taken.

On motion of Representative Whorton, **House Amendment No. 1** was adopted.

Representative Wildberger offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 444, 217, 225, 239, 243, 297, 402 & 172, Section 143.125, Page 1, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the word, "**system**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wildberger moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Chappelle-Nadal	Curls	Darrough	Daus
Dixon	Donnelly	Fallert	Frame	George
Grill	Harris 23	Hodges	Holsman	Hughes
Komo	Kratky	Kraus	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows

Meiners	Nasheed	Norr	Page	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Young	Zimmerman

NOES: 094

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Grisamore	Guest	Harris 110	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kelly	Kuessner	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Zweifel	Mr Speaker	

PRESENT: 002

El-Amin	Johnson
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ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Casey
Cooper 155	Funderburk	Haywood	Kingery	Todd
Wright-Jones	Yaeger			

Representative LeVota offered **House Amendment No. 3.**

Representative Pratt raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative LeVota offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 444, 217, 225, 239, 243, 297, 402 & 172, Section 143.125, Page 1, Line 6, by deleting the following words, "who is sixty-five years of age or older"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative LeVota, **House Amendment No. 4** was adopted.

Representative Zweifel offered **House Amendment No. 5**.

Representative Pratt raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Storch offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill Nos. 444, 217, 225, 239, 243, 297, 402 & 172, Section 143.125, Page 1, Line 6, by inserting after the word, "older", the following:

"and whose income is forty thousand dollars or less if the taxpayer's filing status is single, head of household, or married filing separately; or fifty thousand dollars or less if the taxpayer's filing status is married filing combined"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Storch moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	George	Harris 23
Harris 110	Holsman	Hubbard	Hughes	Johnson
Kratky	Kuessner	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Nasheed	Oxford
Quinn 9	Robinson	Roorda	Rucker	Salva
Schoemehl	Skaggs	Spreng	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Young
Zimmerman	Zweifel			

NOES: 102

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Grill	Grisamore
Guest	Hobbs	Hodges	Hoskins	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander

Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bowman	Brown 30	Bruns	Casey
Funderburk	Haywood	Todd	Yaeger	

HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, as amended, was laid over.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 65 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 21 - Conservation and Natural Resources
HCR 24 - Special Committee on Student Achievement
HCR 25 - Rules
HCR 28 - Special Committee on Veterans

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 9 - Conservation and Natural Resources
HJR 19 - Special Committee on General Laws
HJR 21 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 39 - Fiscal Review (Fiscal Note)
HB 27 - Crime Prevention and Public Safety
HB 32 - Special Committee on Small Business
HB 55 - Health Care Policy
HB 68 - Special Committee on General Laws

HB 71 - Special Committee on Energy and Environment
HB 72 - Health Care Policy
HB 109 - Elementary and Secondary Education
HB 158 - Elections
HB 190 - Special Committee on General Laws
HB 194 - Special Committee on Rural Community Development
HB 252 - Special Committee on Energy and Environment
HB 277 - Corrections and Public Institutions
HB 283 - Local Government
HB 292 - Crime Prevention and Public Safety
HB 324 - Special Committee on Professional Registration and Licensing
HB 336 - Crime Prevention and Public Safety
HB 337 - Crime Prevention and Public Safety
HB 341 - Transportation
HB 354 - Special Committee on State Parks and Waterways
HB 360 - Ways and Means
HB 371 - Special Committee on Workforce Development and Workplace Safety
HB 413 - Special Committee on Professional Registration and Licensing
HB 482 - Special Committee on Homeland Security
HB 510 - Transportation
HB 547 - Special Committee on General Laws
HB 556 - Crime Prevention and Public Safety
HB 564 - Local Government
HB 568 - Health Care Policy
HB 580 - Elementary and Secondary Education
HB 581 - Special Committee on Job Creation and Economic Development
HB 588 - Special Committee on Healthcare Facilities
HB 589 - Special Committee on Urban Issues
HB 595 - Local Government
HB 596 - Transportation
HB 608 - Special Committee on Veterans
HB 615 - Special Committee on General Laws
HB 628 - Conservation and Natural Resources
HB 649 - Special Committee on Workforce Development and Workplace Safety
HB 669 - Special Committee on General Laws
HB 677 - Special Committee on Professional Registration and Licensing
HB 680 - Conservation and Natural Resources
HB 699 - Special Committee on General Laws
HB 702 - Local Government
HB 705 - Health Care Policy
HB 719 - Special Committee on General Laws
HB 722 - Special Committee on Rural Community Development
HB 728 - Special Committee on Health Insurance
HB 729 - Special Committee on Health Insurance
HB 734 - Special Committee on Health Insurance
HB 747 - Agriculture Policy
HB 752 - Special Committee on State Parks and Waterways

HB 754 - Corrections and Public Institutions
HB 762 - Special Committee on General Laws
HB 768 - Transportation
HB 770 - Crime Prevention and Public Safety
HB 775 - Special Committee on Professional Registration and Licensing
HB 776 - Special Committee on Professional Registration and Licensing
HB 777 - Special Committee on Professional Registration and Licensing
HB 778 - Special Committee on Professional Registration and Licensing
HB 779 - Special Committee on Professional Registration and Licensing
HB 780 - Special Committee on Professional Registration and Licensing
HB 784 - Local Government
HB 788 - Health Care Policy
HB 790 - Insurance Policy
HB 811 - Conservation and Natural Resources
HB 821 - Special Committee on Family Services
HB 822 - Judiciary
HB 827 - Special Committee on Student Achievement
HB 829 - Special Committee on Professional Registration and Licensing
HB 830 - Special Committee on Professional Registration and Licensing
HB 831 - Special Committee on Professional Registration and Licensing
HB 832 - Special Committee on Professional Registration and Licensing
HB 833 - Special Committee on Professional Registration and Licensing
HB 839 - Elementary and Secondary Education
HB 840 - Agriculture Policy
HB 841 - Agriculture Policy

COMMITTEE REPORTS

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 221**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 227**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 488**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tourism, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 69**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 272**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 351**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 576**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 678**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 856, introduced by Representative Dixon, relating to juvenile court employees.

HB 857, introduced by Representative Smith (150), relating to a prohibition on the implanting of microchips in humans.

HB 858, introduced by Representative Cunningham (86), relating to citizens' right to know act.

HB 859, introduced by Representatives Baker (25), Lampe, Wallace, Talboy, Moore, Hodges, Nasheed and Wright-Jones, relating to a tax credit for contributions to certain educational grant programs.

HB 860, introduced by Representatives Baker (25), Burnett, Oxford, Walsh, LeVota, Talboy, Lampe and Wright-Jones, relating to crime victims.

HB 861, introduced by Representatives Robb, Cunningham (86), Bearden, Emery, Ruestman and Muschany, relating to remedial course reimbursement.

HB 862, introduced by Representative Guest, relating to protections against rabies.

HB 863, introduced by Representatives Dempsey, Schneider, Day, Yates, Pearce, Nieves, Richard, Funderburk, Jones (89), Schad, Wood, Faith, Cunningham (145), Sater, Quinn (7), Cooper (120) and Scharnhorst, relating to qualifications of initiative petition circulators.

HB 864, introduced by Representatives Guest, Sater, McGhee, Wallace, Nieves, Deeken, Wright, Schaaf and Jones (117), relating to a tax credit for certain medical personnel and teachers.

HB 865, introduced by Representative Davis, relating to foreign adoptions.

HB 866, introduced by Representatives Guest, Funderburk, Sater, Wallace, Nieves, Deeken and Schaaf, relating to tow truck operation.

HB 867, introduced by Representatives Donnelly, Stevenson, Daus, Villa, Oxford, Nasheed, Page, Storch, Yaeger, Meiners, Deeken, Lampe, Baker (25), Rucker, McClanahan, Chappelle-Nadal, Hodges, Curls, Witte, Kratky, Johnson, Corcoran, Zweifel and Walsh, relating to elections.

HB 868, introduced by Representatives Guest, Nieves, Whorton, McGhee, Bivins, Dougherty, Meadows, Dusenberg, Brandom, Aull, Kelly, Weter, Schlottach, Jones (117), Hubbard, Ruestman, Wallace, Lowe (44), Wildberger, Icet, Nolte, Dethrow, Wells, Daus, Fisher and Dempsey, relating to compliance with the federal REAL ID Act of 2005.

HB 869, introduced by Representatives Holsman, Hughes, Chappelle-Nadal, Fallert, LeVota, Storch, Low (39), Meadows, Skaggs, Burnett, Page, Brown (50), Scavuzzo, Norr, Nasheed, Harris (110), Zweifel, Grill, El-Amin, Hubbard, Wildberger, Bland, Villa, Meiners, Dougherty, Donnelly, Lowe (44), Komo, Corcoran, Portwood, Spreng, Salva, Curls, Roorda, Talboy, Funderburk, Kuessner, Hoskins, Robinson, Aull, Oxford, Casey, Swinger, Zimmerman, Walsh, Tilley, Rucker, Daus, Norr, Cunningham (86), Silvey, Shively, Frame and McGhee, relating to electric energy.

HB 870, introduced by Representative Onder, relating to county law enforcement restitution fund.

WITHDRAWAL OF HOUSE BILL

TO: Adam Crumbliss, Chief Clerk of the House

FROM: Juanita Head Walton

SUBJECT: Withdrawal of **House Bill No. 398**

DATE: February 14, 2007

I wish to withdraw **House Bill No. 398**, relating to disclosure of Social Security Numbers.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, February 15, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 428, HB 693

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 19, 2007, 1:00 p.m. Hearing Room 4.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.

Possible Executive session.

APPROPRIATIONS - EDUCATION

Monday, February 19, 2007, 11:00 a.m. Hearing Room 1.

Performance based measures on new or increased items related to Higher Education.

Possible discussion on budget decision items.

Possible Executive session.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget presentation.

Committee will reconvene one hour (1) after adjournment in
Hearing Room 5 for additional budget review.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 19, 2007, 12:00 p.m. Hearing Room 5.

Department of Health and Senior Services budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 19, 2007, 12:00 p.m. Hearing Room 7.

Department of Public Safety budget presentation.

Possible Executive session.

BUDGET

Tuesday, February 20, 2007, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 16

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, February 20, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 338, HB 268, HB 495, HB 62, HB 467

FISCAL REVIEW

Thursday, February 15, 2007, 9:30 a.m. House Chamber north gallery.

Committee will review any bills that may be referred.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, February 21, 2007, Senate Lounge upon afternoon adjournment.

Upon afternoon adjournment of both Houses hearing will begin.

Should either House continue after 8:00 p.m., hearing will be held on
February 22, 2007 at 8:00 a.m. in Senate Committee Room 2. 11 CSR 45-12.080

RULES

Thursday, February 15, 2007, 9:30 a.m. House Chamber south gallery.

Executive session may follow.

Public hearing to be held on: HCR 15

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, February 15, 2007, 9:30 a.m. House Chamber south gallery.

Executive session may follow.

Public hearings to be held on: HB 46, HB 205, HB 269

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 233, HB 310, HB 544

SPECIAL COMMITTEE ON RETIREMENT

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 625

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HCR 8

WAYS AND MEANS

Thursday, February 15, 2007, 8:00 a.m. Hearing Room 3.

Executive session.

Public hearings to be held on: HB 165, HB 368

HOUSE CALENDAR

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 15, 2007

HOUSE BILLS FOR SECOND READING

HB 856 through HB 870

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 1 - Cunningham (86)
- 2 HJR 7 - Nieves

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 444, 217, 225, 239, 243, 297, 402 & 172, as amended - Jetton
- 2 HCS HB 189 & 60 - Jones (117)
- 3 HB 262 - Nieves
- 4 HB 263 - Nieves
- 5 HCS HB 327 - Richard
- 6 HCS HB 369 - Fisher
- 7 HCS HB 636, 308 & 173 - Kraus
- 8 HCS HB 40, 116 & 367 - Portwood

HOUSE BILL FOR PERFECTION - CONSENT

(2/12/07)

HB 70 - Day

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 545 & 590 - Tilley
- 2 HCS HB 39, (Fiscal Review 2-14-07), E.C. - Portwood

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 15, 2007

The House met pursuant to adjournment.

Representative Cooper (120) in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray first, by listening to this word of God.

"Because he dispensed justice to the weak and the poor, it went well with him." (*Jeremiah 22:16*)

Almighty God, we thank You for guiding us to dispense justice and to do good for the working disabled. The "working disabled"! Through the very title You inspire us to hold them in great respect. You call us to a comparable respect for those who are disabled and unable to work. At the right time and in the right ways, guide us to work together for them according to their genuine need of help from this body.

Strengthen us to seek justice and truth in all our work today. Give us the ability and the self-discipline to listen to one another carefully that we may discern what is right and true more clearly.

Be with us as we return to our homes for the coming weekend. Guide us to hold in our hearts always great concern for those who have asked us to represent them.

We pray through Jesus Christ our Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Sara DePaoli.

The Journal of the twenty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 621 through House Resolution No. 651

HOUSE CONCURRENT RESOLUTION

Representative Smith (150) offered House Concurrent Resolution No. 31.

SECOND READING OF HOUSE BILLS

HB 856 through **HB 870** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 39** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HBs 545 & 590, relating to the practice of pharmacy, was taken up by Representative Tilley.

On motion of Representative Tilley, **HCS HBs 545 & 590** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 50	Bruns	Burnett	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 006

Baker 25	Harris 23	Lipke	Pollock	Sander
Schaaf				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 008

Avery	Bearden	Bowman	Brown 30	Casey
Hoskins	LeVota	Todd		

Representative Cooper (120) declared the bill passed.

HCS HB 39, relating to disabled employees's medical aid, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HB 39** was read the third time and passed by the following vote:

AYES: 153

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Emery	Ervin
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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bearden	Bowman	Brown 30	Casey
Hoskins	LeVota	Todd		

Representative Cooper (120) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bearden	Bowman	Brown 30	Casey
Hoskins	LeVota	Todd		

PERFECTION OF HOUSE BILLS

HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, as amended, relating to a deduction for social security, was taken up by Representative Jetton.

Representative Donnelly offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill Nos. 444, 217, 225, 239, 243, 297, 402 & 172, Section 143.125, Page 2, Line 21, by inserting after all of said section the following:

"Section B. The provisions of this bill shall only become effective if the general assembly identifies specific reductions in appropriations in the fiscal year 2008 budget that equal or exceed the cost to the state for this bill as determined by the fiscal note for the truly agreed version of House Bill 444."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Donnelly moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Talboy offered **House Amendment No. 8**.

Representative Pratt raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Jetton, **HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, as amended**, was adopted by the following vote:

AYES: 127

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 50	Bruns	Burnett	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt

Quinn 7	Quinn 9	Richard	Robb	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Young	Mr Speaker			

NOES: 022

Baker 25	Chappelle-Nadal	Darrough	Daus	Harris 110
Holsman	Kuessner	Low 39	Lowe 44	Nasheed
Robinson	Schoemehl	Storch	Swinger	Talboy
Villa	Vogt	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Bearden	Bowman	Brown 30	Casey
Dixon	Hoskins	Kratky	LeVota	Meadows
Oxford	Roorda	St. Onge	Todd	

On motion of Representative Jetton, **HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, as amended**, was ordered perfected and printed by the following vote:

AYES: 124

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 50	Bruns	Burnett	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Hodges	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman
Ruzicka	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace

Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Young	Mr Speaker	

NOES: 022

Baker 25	Chappelle-Nadal	Darrough	Daus	Harris 110
Holsman	Kuessner	Low 39	Lowe 44	Nasheed
Robinson	Schoemehl	Storch	Swinger	Talboy
Villa	Vogt	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Bearden	Bland	Bowman	Brown 30
Casey	Dixon	Hoskins	Kratky	LeVota
Meadows	Oxford	Roorda	Salva	Sander
St. Onge	Todd			

HCS HBs 189 & 60, relating to the defensive use of force, was taken up by Representative Jones (117).

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 189 & 60, Page 2, Section 563.058, Lines 2-3, by deleting the words "**criminal prosecution and**"; and

Further amend said section, Lines 7-9, by deleting all of said lines and inserting in lieu thereof the following:

"person was a law enforcement officer."; and

Further amend said section, Line 16, by deleting the words "**from prosecution**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt assumed the Chair.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Roorda offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 189 & 60, Page 1, Section 563.043, Line 1, by inserting after the word "person" the following:

", including a law enforcement officer as defined in Section 590.010 whether on or off duty,"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Roorda moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 015

Darrough	George	Haywood	Hughes	Liese
Roorda	Schieffer	Schoemehl	Silvey	Skaggs
Talboy	Walton	Whorton	Wildberger	Yaeger

NOES: 129

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 50	Bruns	Burnett	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Shively
Smith 14	Smith 150	Spreng	Stevenson	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

PRESENT: 002

Holsman	Johnson
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ABSENT WITH LEAVE: 017

Avery	Bearden	Bland	Bowman	Brown 30
Casey	Dixon	Hoskins	Kratky	LeVota
Meadows	Oxford	Page	Salva	St. Onge
Todd	Wright-Jones			

On motion of Representative Jones (117), **HCS HBs 189 & 60, as amended**, was adopted.

On motion of Representative Jones (117), **HCS HBs 189 & 60, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 26 - Special Committee on Urban Issues

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 391 - Special Committee on Retirement
HB 392 - Special Committee on Retirement
HB 393 - Special Committee on Retirement
HB 552 - Special Committee on Retirement
HB 553 - Special Committee on Retirement
HB 609 - Crime Prevention and Public Safety
HB 616 - Special Committee on Government Affairs
HB 765 - Special Committee on Retirement
HB 820 - Corrections and Public Institutions
HB 836 - Special Committee on Government Affairs

COMMITTEE REPORTS

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **HB 346**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 192**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 319**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 625**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 620**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Education Reform, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 698**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 808**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 61**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 458**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 459**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 15

WHEREAS, chronic obstructive pulmonary disease (COPD), also known as chronic bronchitis and emphysema, is the fourth leading cause of death in the United States and the only one of the top five causes of death for which the prevalence and death rate are rising; and

WHEREAS, COPD is a chronic, progressive disease which impacts over 175,000 residents of Missouri and 24 million Americans; and

WHEREAS, the annual cost to the nation for COPD in 2004 was estimated to be \$37 billion; and

WHEREAS, early diagnosis and management of COPD can effectively reduce the overall financial burden of the illness within public programs such as Medicaid; and

WHEREAS, proper management of COPD can lead to improved quality of life and self-sufficiency on the part of patients with COPD cared for within public programs; and

WHEREAS, disease management has been demonstrated to reduce overall costs of care and increase quality of life for patients with chronic diseases, especially when targeted to appropriate conditions and patients; and

WHEREAS, November is COPD Awareness Month and November 21, 2007, is COPD Awareness Day:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize November 2007 as "COPD Awareness Month" and November 21, 2007, as "COPD Awareness Day" in Missouri; and

BE IT FURTHER RESOLVED that the General Assembly supports and encourages the Division of Medical Services within the Department of Social Services in its efforts with regard to disease management and including COPD in the Department's chronic care improvement program in an effort to reduce the financial and clinical burden of COPD on the Medicaid program and the citizens of Missouri.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 205**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 269**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 22, introduced by Representatives Ervin, Baker (123), Kraus, Funderburk and Wallace, relating to compensation of public officials.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 871, introduced by Representative Cunningham (145), relating to military scholarships.

HB 872, introduced by Representatives Cooper (158), Sater, McGhee and Nieves, relating to utilicare.

HB 873, introduced by Representatives Portwood, Dougherty, Brown (50), Quinn (7), Smith (14), Ruestman, Dixon, El-Amin, Parson, Tilley, Wells, Kratky, Young, Wasson and Smith (150), relating to chiropractor licensing.

HB 874, introduced by Representatives Franz and Bruns, relating to a tax credit for volunteer firefighters.

HB 875, introduced by Representative Franz, relating to county employees' retirement.

HB 876, introduced by Representative Franz, relating to election watchers.

HB 877, introduced by Representatives Hobbs, Fisher, Jones (117), Sander, Thomson, Munzlinger, Whorton, Quinn (9) and Page, relating to biodiesel.

HB 878, introduced by Representatives Hobbs, Munzlinger, Pearce, Robb, Jetton, Threlkeld, Richard and Page, relating to health professional shortage areas.

HB 879, introduced by Representatives Hobbs, Munzlinger, Quinn (7), Weter, Fisher, Sater, Day, Richard, Jetton and Loehner, relating to the managed environment livestock operation tax credit.

HB 880, introduced by Representatives Hobbs, Sater and Richard, relating to land reclamation permit applications.

HB 881, introduced by Representatives Munzlinger, Hobbs, Quinn (7), Bivins, Fisher, Kelly and Grisamore, relating to the managed environment livestock operation tax credit.

HB 882, introduced by Representatives Page, Young, Storch, Talboy, Witte, Johnson, Kraus, Dusenberg, Wright-Jones and Faith, relating to state agencies.

HB 883, introduced by Representatives Low (39), Skaggs, Roorda, Lowe (44), Hughes, LeVota, Frame, Oxford, Witte, Chappelle-Nadal, McClanahan, Curls, Talboy, Daus, Haywood, Zweifel, George, Corcoran, El-Amin and Nasheed, relating to corporate tax disclosures.

HB 884, introduced by Representative Dougherty, relating to blasting vibration levels.

HB 885, introduced by Representatives Wilson (130), Ruestman, Nieves, Page, Sater, Wallace, Bivins and Cunningham (86), relating to impounding vehicles.

HB 886, introduced by Representatives Schlottach, Yaeger, Roorda, Harris (110) and Deeken, relating to solid wastes.

HB 887, introduced by Representatives Emery, Schoeller, Bivins, Nolte, Sater, Ruestman, Nance and Wood, relating to state advertisements.

HB 888, introduced by Representatives Grisamore, Yates, Nieves, Schad, Threlkeld, Dethrow, Smith (150), Ruzicka, Onder, Jones (89), Pratt, Brandom, Quinn (7), Thomson, Moore, Tilley, Flook, Wilson (119), Faith, Cooper (155), Stream, Hunter, Davis, Franz and Schaaf, relating to faith-based organizations.

HB 889, introduced by Representatives Emery, Wilson (130), Self, Nolte, Wood, McGhee, Hunter, Wallace, Ruzicka, Fisher, Nieves, Onder, Lembke, Ervin, Icet, Schneider and Kraus, relating to public assistance for illegal immigrants.

HB 890, introduced by Representatives Kratky, Hubbard, Pearce, Richard, Smith (150), Spreng, Brown (50), Daus, Liese and Yaeger, relating to community college districts.

HB 891, introduced by Representatives Kratky, Hubbard, Smith (150), Brown (50), Spreng, Daus, Vogt, Richard, Meiners, Walsh, Wildberger, Salva, Avery, Donnelly, Storch, Lembke, Baker (25), Portwood, Pollock, Yates, Weter, Deeken, Wasson, Nieves, Schoemehl, Chappelle-Nadal, Villa, Haywood, Wood, May, Cunningham (86), Burnett, Fares, Dusenberg, Liese and Yaeger, relating to income tax credits for hiring disabled workers.

HB 892, introduced by Representatives Kratky, Hubbard, Richard, Spreng, Brown (50), Page, Corcoran, Vogt, Tilley, Yaeger, Frame, Walsh, Hughes, Casey, Lowe (44), Wasson, Roorda, Jones (117), Darrough, Shively, Rucker, Meadows, Robinson, Fallert, Wright-Jones, El-Amin, Swinger, Young, Kuessner, Aull, Salva, Wood, Wilson (119), Whorton, Storch, Grill, Jetton, Liese, Day, Hunter, Fisher, Icet, Lembke, Wallace, Walton, Schieffer, Schoemehl, Holsman, Scavuzzo, Johnson, Donnelly, Quinn (9), Munzlinger, Thomson, Emery, Moore and Harris (110), relating to the creation of a military medal of freedom.

HB 893, introduced by Representatives Davis, Dusenberg and Fisher, relating to traffic control signals.

HB 894, introduced by Representative Hoskins, relating to independent candidates.

HB 895, introduced by Representatives Kuessner, Swinger, Witte, Dougherty, Robinson, Kratky and Harris (110), relating to hospital districts.

HB 896, introduced by Representative Flook, relating to the definition of "traffic violation case".

The following member's presence was noted: Bearden.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, February 19, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 19, 2007, 1:00 p.m. Hearing Room 4.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.

Possible Executive session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 3.

Review Departments of Agriculture, Conservation, and Natural Resources budgets.

Possible Executive session.

APPROPRIATIONS - EDUCATION

Monday, February 19, 2007, 11:00 a.m. Hearing Room 1.

Performance based measures on new or increased items related to Higher Education.

Possible discussion on budget decision items.

Possible Executive session.

APPROPRIATIONS - EDUCATION

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 3.

Performance based measures related to Higher Education continued if necessary.

Possible discussion on budget decision items.

Possible Executive session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 19, 2007, 12:00 p.m. Hearing Room 3.

Office of Administration, General Services, Facilities Management, Design and Construction, Statewide Real Estate, and the Department of Revenue.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 19, 2007, 12:00 p.m. Hearing Room 5.

Department of Health and Senior Services budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 19, 2007, 12:00 p.m. Hearing Room 7.

Department of Public Safety budget presentation.

Possible Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 19, 2007, 12:30 p.m. Hearing Room 6.

Budget presentation continued for Department of Economic Development.

Budget presentation by the Department of Insurance.

Executive session may be included.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 20, 2007, 5:00 p.m. Hearing Room 3.

Budget presentation Department of Transportation.

Budget recommendations for Departments of Economic Development,

Labor and Industrial Relations, Insurance, and Transportation.

Possible Executive session.

BUDGET

Tuesday, February 20, 2007, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 16

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 21, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 811, HJR 9, HJR 21

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, February 20, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 338, HB 268, HB 495, HB 62, HB 467

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 42, HB 113, HB 331, HB 333

ELECTIONS

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 57, HJR 18, HJR 4, HJR 5

HEALTH CARE POLICY

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 554, HB 555, HB 182

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, February 21, 2007, Senate Lounge upon afternoon adjournment.

Upon afternoon adjournment of both Houses hearing will begin.

Should either House continue after 8:00 p.m., hearing will be held on

February 22, 2007, at 8:00 a.m. in Senate Committee Room 2. 11 CSR 45-12.080

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, February 26, 2007, 11:00 a.m. Hearing Room 3.

Specialty plates, MO Hospice organization,

Arkansas Alumni Association, Highway naming, Reimbursement.

RULES

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HCR 25, HR 65, HJR 21

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HCS HB 272, HB 69, HB 351, HB 576, HB 344,

HB 319, HCS HB 620, HB 808, HCS HB 346, HCS HB 221, HB 488, HB 625

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 347

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 665, HB 361, HB 125, HB 312, HB 614, HB 255

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, February 20, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 508, HB 432

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON VETERANS

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 608, HCR 28

TRANSPORTATION

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 110

HOUSE CALENDAR

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 19, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 22

HOUSE BILLS FOR SECOND READING

HB 871 through HB 896

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 1 - Cunningham (86)
- 2 HJR 7 - Nieves

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HB 262 - Nieves
- 2 HB 263 - Nieves
- 3 HCS HB 327 - Richard
- 4 HCS HB 369 - Fisher
- 5 HCS HB 636, 308 & 173 - Kraus
- 6 HCS HB 40, 116 & 367 - Portwood
- 7 HB 269 - Nolte
- 8 HB 46 - Viebrock

HOUSE BILLS FOR PERFECTION - CONSENT

(2/12/07)

HB 70 - Day

(2/19/07)

HB 205 - Marsh

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 444, 217, 225, 239, 243, 297, 402 & 172 - Jetton
- 2 HCS HB 189 & 60 - Jones (117)

HOUSE CONCURRENT RESOLUTION

HCR 15, (2-15-07) - Threlkeld

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 19, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are gracious and full of compassion, slow to anger and abounding in mercy. You are good to all, and Your tender mercies are over all the work of Your hand.

How wonderful to be near You, O God, to find protection with You, Sovereign LORD and to proclaim all that You have done!

Teach us to use wisely all the time we have in this session. Teach us to enjoy life in spite of the difficult moments. Teach us to have compassion as You have shown us compassion; considering the plight of others as we make decisions that affect us all.

Your advice has been our guide as we seek to do what is right and pleasing in Your sight.

Now may You, the God of hope, fill us with all joy and peace in believing, so that we would abound in hope by the power of Your Spirit.

For it's in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Janae Robinson, Alan Dockery, Tyler Mutch, Beverly Stevens, Diane Mott, Graham Gardner, Paige Russell and Lauren Sellers.

The Journal of the twenty-fifth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 652 through House Resolution No. 674

HOUSE CONCURRENT RESOLUTION

Representative Jones (117), et al., offered House Concurrent Resolution No. 32.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 22 was read the second time.

SECOND READING OF HOUSE BILLS

HB 871 through **HB 896** were read the second time.

THIRD READING OF HOUSE BILL

HCS HBs 189 & 60, relating to defensive use of force, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HBs 189 & 60** was read the third time and passed by the following vote:

AYES: 143

Aull	Baker 25	Baker 123	Bearden	Bivins
Bowman	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Marsh	May	McClanahan	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 004

Low 39	Lowe 44	Nasheed	Vogt
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PRESENT: 002

Curls Oxford

ABSENT WITH LEAVE: 014

Avery	Bland	Brown 30	Flook	Hubbard
Hughes	Johnson	Kelly	Kratky	LeVota
McGhee	Pearce	Robinson	Storch	

Speaker Jetton declared the bill passed.

Representative Stevenson assumed the Chair.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 14, Page 10, Section 14.230, Line 2, by deleting said line and inserting the following:

"For start-up costs of a joint engineering program with the University of Missouri-Rolla, including but not limited to laboratory development, equipment purchases and laboratory set-up"; and

Further amend said bill, Page 10, Section 14.235, Line 2, by deleting said line and inserting the following:

"For start-up costs on the Rolla campus of a joint engineering program with Missouri State University, including but not limited to distance education facility development, equipment purchases, laboratory development and course development".

On motion of Representative Icet, **House Amendment No. 1** was adopted.

On motion of Representative Icet, **HCS HB 14, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 14, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 7, relating to the language of official proceedings, was taken up by Representative Nieves.

Representative Chappelle-Nadal offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 7, Section 34, Page 1, Line 2, by inserting the following at the end of said line:

"This section shall not prohibit any governmental agency from providing or distributing materials to persons over the age of sixty-five in a language other than English."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Chappelle-Nadal moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Haywood	Holsman
Hoskins	Komo	Kuessner	Lampe	Liese
Low 39	Lowe 44	Meadows	Meiners	Nasheed
Oxford	Roorda	Rucker	Salva	Schieffer
Schoemehl	Skaggs	Spreng	Swinger	Talboy
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

NOES: 098

Baker 123	Bearden	Bivins	Brandom	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McClanahan	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Ruestman
Ruzicka	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Brown 30	Flook	Hubbard	Hughes
Johnson	Kratky	LeVota	McGhee	Pearce
Robinson	Sander	Storch		

Representative Talboy offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Joint Resolution No. 7, Section 34, Page 1, Line 2, by inserting the following at the end of said line:

"This section shall not prohibit the teaching of foreign languages in public schools."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs offered **House Amendment No. 1 to House Amendment No. 2.**

Representative Jones (89) raised a point of order that **House Amendment No. 1 to House Amendment No. 2** goes beyond the scope of the underlying amendment.

Representative Stevenson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HJR 7, with House Amendment No. 2, pending, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172 - Fiscal Review (Fiscal Note)

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 103 - Local Government

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 265**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 267**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Rural Community Development, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 74**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 897, introduced by Representatives Harris (110), Harris (23), Baker (25), Rucker, Wildberger, Fallert, Shively and Hodges, relating to health rules for counties.

HB 898, introduced by Representative Bringer, relating to background checks for teachers.

HB 899, introduced by Representatives Wilson (119), Wilson (130), Wells, Wood, Fisher, Franz, Schad, Whorton and McGhee, relating to county treasurers.

HB 900, introduced by Representatives Kuessner, Harris (110), Meadows, Wildberger, Swinger, Oxford, Roorda, Whorton and Young, relating to medical malpractice insurance.

HB 901, introduced by Representative Sutherland, relating to the large carnivore act.

HB 902, introduced by Representative Stevenson, relating to merchandising practices.

HB 903, introduced by Representative Stevenson, relating to product seller liability.

HB 904, introduced by Representative Stevenson, relating to merchandising practices.

HB 905, introduced by Representative Stevenson, relating to the regulation and licensing of the practice of naturopathic medicine.

HB 906, introduced by Representatives Cooper (120), Bearden and Dempsey, relating to the mixing of motor fuels.

HB 907, introduced by Representative Aull, relating to school funding.

HB 908, introduced by Representatives Wasson and Parson, relating to the tobacco master settlement agreement.

HB 909, introduced by Representatives Harris (23), Meadows, Harris (110), Fallert, Lampe, Wildberger, Lowe (44) and Holsman, relating to concentrated animal feeding operations.

HB 910, introduced by Representatives Fares, Pearce, Villa, Bivins, May, Marsh, Scharnhorst, Wallace, Kingery, Schlottach, Quinn (7), Day, Wasson, Walton, Jones (117) and Sutherland, relating to the official state mushroom.

HB 911, introduced by Representatives Rucker, Sater, Wildberger, Kuessner, Aull, Bland and Hoskins, relating to elections in villages.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Tim Meadows is no longer a member of the Special Committee on Rural Community Development.

Representative Luke Scavuzzo has been appointed a member of the Special Committee on Rural Community Development.

The following member's presence was noted: McGhee.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 20, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 3.

Review Departments of Agriculture, Conservation, and Natural Resources budgets.

Possible Executive session.

APPROPRIATIONS - EDUCATION

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 3.

Performance based measures related to Higher Education continued if necessary.

Possible discussion on budget decision items.

Possible Executive session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 21, 2007, 12:00 p.m. Hearing Room 3.

Office of Administration, State wide real estate, Department of Revenue,

Office of Public Defender, and Judiciary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 5.

Continuation of budget review from Departments of Mental Health, Health and Senior Services, and Social Services.

Committee will reconvene 30 minutes after adjournment and continue until department presentation is completed.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 20, 2007, 5:00 p.m. Hearing Room 3.

Budget presentation Department of Transportation.

Budget recommendations for Departments of Economic Development, Labor and Industrial Relations, Insurance, and Transportation.

Possible Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 21, 2007, 2:00 p.m. Hearing Room 7.

Department budgets for Economic Development; Labor and Industrial Relations; Insurance, Financial Institutions and Professional Registration; and Transportation.

Executive session may be included.

BUDGET

Tuesday, February 20, 2007, Hearing Room 3 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 16

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 21, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 811, HJR 9, HCR 21

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, February 20, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 338, HB 268, HB 495, HB 62, HB 467

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 42, HB 331, HB 333, HB 113

ELECTIONS

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 57, HJR 18, HJR 4, HJR 5

HEALTH CARE POLICY

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 554, HB 555, HB 182

INSURANCE POLICY

Wednesday, February 21, 2007, 12:30 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 121, HB 790, HB 407

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, February 21, 2007, Senate Lounge upon afternoon adjournment.

Upon afternoon adjournment of both Houses hearing will begin.

Should either House continue after 8:00 p.m., hearing will be held

on February 22, 2007, at 8:00 a.m. in Senate Committee Room 2. 11 CSR 45-12.080

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, February 26, 2007, 11:00 a.m. Hearing Room 3.

Specialty plates, MO Hospice organization, Arkansas Alumni Association,
Highway naming, Reimbursement.

JUDICIARY

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 1.

Executive session will follow.

Public hearings to be held on: HB 122, HB 197, HB 431

LOCAL GOVERNMENT

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow

Public hearings to be held on: HB 199, HB 251, HB 271, HB 278, HB 296, HB 303

RULES

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HCR 25, HR 65, HJR 21

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HCS HB 272, HB 69, HB 351, HB 576, HB 344,
HB 319, HCS HB 620, HB 808, HCS HB 346, HCS HB 221, HB 488, HB 625

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 347

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 396, HB 774, HB 699

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 665, HB 361, HB 125, HB 312, HB 614, HB 255

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, February 20, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 508, HB 432

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, February 21, 2007, 12:00 p.m. Hearing Room 1.

Executive session will follow.

Public hearing to be held on: HB 482

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 21, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 17, HB 448

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 354, HB 752

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 21, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 827

SPECIAL COMMITTEE ON TOURISM

Thursday, February 22, 2007, 9:00 a.m. House Lounge.

Tourism Commission annual report.

Joint meeting with the Senate and House Tourism Committees and Tourism Commission.

Executive session may or may not follow.

SPECIAL COMMITTEE ON VETERANS

Tuesday, February 20, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 608, HCR 28

TRANSPORTATION

Tuesday, February 20, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 110

HOUSE CALENDAR

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 20, 2007

HOUSE BILLS FOR SECOND READING

HB 897 through HB 911

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 1 - Cunningham (86)
- 2 HJR 7, HA 2, pending - Nieves

HOUSE BILLS FOR PERFECTION

- 1 HB 262 - Nieves
- 2 HB 263 - Nieves
- 3 HCS HB 327 - Richard
- 4 HCS HB 369 - Fisher
- 5 HCS HB 636, 308 & 173 - Kraus
- 6 HCS HB 40, 116 & 367 - Portwood
- 7 HB 269 - Nolte
- 8 HB 46 - Viebrock

HOUSE BILL FOR PERFECTION - CONSENT

(2/19/07)

HB 205 - Marsh

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 14 - Icet

HOUSE BILL FOR THIRD READING

HCS HB 444, 217, 225, 239, 243, 297, 402 & 172, (Fiscal Review 2-19-07) - Jetton

HOUSE BILL FOR THIRD READING - CONSENT

HB 70 - Day

HOUSE CONCURRENT RESOLUTION

HCR 15, (2-15-07, Page 396) - Threlkeld

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 20, 2007

The House met pursuant to adjournment.

Representative Quinn (7) in the Chair.

Prayer by Msgr. Robert Kurwicki, St. Joseph Cathedral, Jefferson City.

Almighty and loving God, we ask for Your presence in this Chamber today, as we discern those matters which will bring light, peace and joy to the people that we serve. Let us be united in the common good and not distracted by those things which divide us.

May our thoughts and words be reflections of the honor of this institution now and in the future. Let us remember that history will judge us not just by the outcome of our debates, but also by their manner. We ask this and for all things in Your holy name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chris Kirk, Chelsea Rice, Alyssa Roberts, Mary Kate Shoemaker and Samara Crowell.

The Journal of the twenty-sixth day was approved as printed.

SPECIAL RECOGNITION

The 2006-2007 Missouri Future Farmers of America State Officers were introduced by Representative Quinn (7).

Jeromie Allen, State FFA President, addressed the House.

Representative Cooper (120) assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 675 through House Resolution No. 701

SECOND READING OF HOUSE BILLS

HB 897 through **HB 911** were read the second time.

Speaker Pro Tem Bearden assumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 1, relating to state court jurisdiction, was taken up by Representative Cunningham (86).

Representative Roorda offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution No. 1, Page 2, Section 3, Line 9, by inserting after the word "taxes" the following:

"[.], unless such order of the court is issued as a remedy for non-compliance with provisions of the Missouri Constitution."; and

Further amend House Joint Resolution No. 1, Page 2, Section 3, Line 13, by inserting after the word "legislation" the following:

"[.], unless such order of the court is issued as a remedy for non-compliance with provisions of the Missouri Constitution;"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Roorda moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hubbard
Komo	Kratky	Kuessner	Lampe	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

NOES: 092

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hunter	Icet	Jones 89	Jones 117

Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brown 30	Haywood	Hughes	Johnson
LeVota	Stevenson			

Representative Kuessner offered **House Amendment No. 2**.

Representative Pratt raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Cunningham (86), **HCS HJR 1** was adopted.

On motion of Representative Cunningham (86), **HCS HJR 1** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 20 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 672 - Special Committee on Professional Registration and Licensing
HB 714 - Judiciary
HB 727 - Special Committee on Homeland Security
HB 739 - Crime Prevention and Public Safety
HB 771 - Special Committee on Student Achievement
HB 851 - Special Committee on Immigration
HB 889 - Special Committee on Immigration
HB 911 - Elections

COMMITTEE REPORTS

Committee on Budget, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 16**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 159**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 215**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 69**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 221**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 272**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 319**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 346**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 351**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 488**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 576**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 620**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 625**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 808**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 3 hours for debate on Perfection**.

ADVANCEMENT OF HOUSE CONSENT BILL

Pursuant to Rule 45(b), the following bill, having remained on the House Consent Calendar for Perfection for five legislative days, was ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 70**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 912, introduced by Representatives Pollock, Day, Ruzicka, Dethrow, Wilson (119), Sutherland, Loehner and Quinn (7), relating to hunting and retrieval of game.

HB 913, introduced by Representatives Cooper (120), Villa, Young, Walsh, Daus, Spreng, Meiners, Zweifel, Komo and Vogt, relating to the advertising of liquor at retail businesses.

HB 914, introduced by Representative Dougherty, relating to athletics.

HB 915, introduced by Representatives Dougherty, Jetton, Day, Fisher, Stream, May, Kraus, Nance, Bivins, Wilson (119), Richard, Nolte, Kingery, Wright, Wasson, St. Onge, Tilley, Dusenber, Schaaf, Hunter, Marsh, Loehner, Deeken, Lembke, Burnett, Young, Hoskins and Hubbard, relating to an exemption for veteran's organizations from certain bingo taxes.

HB 916, introduced by Representatives Dougherty, Jetton, Day, Fisher, Stream, May, Kraus, Nance, Bivins, Wilson (119), Richard, Nolte, Kingery, Wright, Wasson, St. Onge, Tilley, Dusenber, Schaaf, Hunter, Marsh, Loehner, Deeken, Lembke, Burnett, Young, Hoskins and Hubbard, relating to an exemption for veteran's organizations from taxes on pull-tab cards.

HB 917, introduced by Representatives Low (39), Talboy, LeVota, Lampe, Storch, Shively, Oxford, George, Bland, Yaeger, Baker (25), Scavuzzo, Zimmerman, Villa, Lowe (44), Witte, Harris (23), Komo, Robinson, Spreng, Page, Walsh and Frame, relating to drug testing of rape victims.

HB 918, introduced by Representatives Kraus and Emery, relating to the public service commission.

HB 919, introduced by Representative Schneider, relating to political subdivisions.

HB 920, introduced by Representatives Schneider, Lipke, Donnelly, Jones (89), Burnett, Bringer, Grill, Deeken and Smith (150), relating to the uniform real property electronic recording act.

HB 921, introduced by Representative Cooper (120), relating to sales taxation of coin-operated amusement devices.

HB 922, introduced by Representatives Kratky, Deeken, Pollock, Richard, Wasson, Nieves, Schoemehl, Meiners, Salva, Chappelle-Nadal, Villa, Haywood, Donnelly, Wood, May, Hubbard, Burnett, Guest, Liese, Lowe (44) and Yaeger, relating to absentee ballots.

HB 923, introduced by Representative Kratky, relating to the St. Louis board of police commissioners.

HB 924, introduced by Representatives St. Onge, McGhee, Threlkeld, Faith, Loehner, Deeken, Kuessner, Cooper (120), Flook and Meadows, relating to damage to underground facilities.

HB 925, introduced by Representatives St. Onge, Page, Wilson (130) and Moore, relating to ignition interlock devices.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 19**, entitled:

An act to repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to refund of motor vehicle registration fees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 25**, entitled:

An act to repeal sections 210.145 and 210.183, RSMo, and to enact in lieu thereof two new sections relating to a child abuse or neglect investigation involving the death of a child.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 52**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to annual bid bonds for state highways and transportation commission construction and maintenance projects.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 81**, entitled:

An to repeal section 67.1360, RSMo, and to enact in lieu thereof one new section relating to a transient guest tax for funding the promotion of tourism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 84**, entitled:

An act to repeal section 210.482, RSMo, and to enact in lieu thereof one new section relating to criminal background checks for emergency child placements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 115**, entitled:

An act to authorize the conveyance of property owned by the state in Pettis County to the Girl Scouts - Heart of Missouri Council, Inc., with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 152**, entitled:

An act to authorize the conveyance of property owned by the state in St. Francois County to the city of Park Hills.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 232**, entitled:

An act to amend chapter 227, RSMo, by adding thereto two new sections relating to memorial highway designations.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Charles Schlottach is no longer a member of the Joint Committee on Transportation Oversight.

Representative Bob Onder has been appointed a member of the Joint Committee on Transportation Oversight.

COMMUNICATIONS

February 19, 2007

Mr. Adam Crumbliss
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Clerk:

Pursuant to Chapter 105.461, RSMo, this letter is an official report that I have a contractual relationship with Lindenwood University. The Missouri Ethics Commission has by letter verified that this relationship does not constitute a conflict of interest with my duties in the General Assembly.

Please publish this report in the Journal of the House pursuant to RSMo, Chapter 105.461.

Sincerely,

/s/ Rep. Carl Bearden

February 13, 2007

Mr. D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
Capitol Building
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Please allow this letter to serve as a request to be removed as co-sponsor of House Bill No. 495.

As a new legislator, I have made every attempt to be careful as to the legislation that I would sign on as co-sponsor. I have not freely decided to sign on any bill that has come my way, without having a good understanding as to what the bill entailed. I have shown great reservation, and chosen not to sign on to bills that may in fact, in the end, prove no harm to the people of my district. As a result, I have a good working knowledge of the type of bills that I have co-sponsored.

Thus, I am gravely concerned that I appear as co-sponsor, on legislation that I would never have knowingly signed on. **House Bill No. 495, establishes a Missouri State Park Board to oversee a Historical Marker Program, a program**

that would have the power to erect a "statue, seal, flag or symbol" or any historical marker which would celebrate or commemorate the role of the Confederate Army here in Missouri.

As an African American legislator, I find this portion of the legislation offensive in that, although historical, the loss of the Confederates was pre-emptive for what allows me to assume my office as an elected legislator, thus giving me the capacity to write this letter today. My strong belief in equality and lack the suppression of any certain people, would have precluded me from ever knowingly signing on to, legislation of this nature. With this being said, I strongly request that my name be removed from this bill.

Thank you for your consideration of my request.

Respectfully submitted,

/s/ Shalonn K. Curls
41st District

WITHDRAWAL OF HOUSE BILL

February 20, 2007

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request that **House Bill No. 543** be withdrawn. Thank you for your consideration of this request.

Sincerely,

/s/ Nathan D. Cooper
State Representative
District 158

The following members' presence was noted: Haywood and Stevenson.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, February 21, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 370, HB 840, HB 841, HB 709, HB 630

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 3.

Review Departments of Agriculture, Conservation, and Natural Resources budgets.

Possible Executive session.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 21, 2007, 12:00 p.m. Hearing Room 3.

Office of Administration, State wide real estate, Department of Revenue,

Office of Public Defender, and Judiciary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 5.

Continuation of budget review from Departments of Mental Health, Health and Social Services.

Committee will reconvene 30 minutes after adjournment and continue until department presentation is completed.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 21, 2007, 2:00 p.m. Hearing Room 7.

Department budgets for Economic Development; Labor and Industrial Relations; Insurance, Financial Institutions and Professional Registration; and Transportation.

Executive session may be included.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 21, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 811, HJR 9, HCR 21

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 29, HB 35

FISCAL REVIEW

Wednesday, February 21, 2007, 8:30 a.m. Hearing Room 1.

Any other bills that may come before the Fiscal Review Committee.

INSURANCE POLICY

Wednesday, February 21, 2007, 12:30 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 121, HB 790, HB 407

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, February 21, 2007, Senate Lounge upon afternoon adjournment.

Upon afternoon adjournment of both Houses hearing will begin.

Should either House continue after 8:00 p.m., hearing will be held on

February 22, 2007, at 8:00 a.m. in Senate Committee Room 2. 11 CSR 45-12.080

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, February 26, 2007, 11:00 a.m. Hearing Room 3.

Specialty plates, MO Hospice organization, Arkansas Alumni Association,

Highway naming, Reimbursement.

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, February 21, 2007, 2:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HCS HB 678, HCS HB 459, HB 264, HB 265,

HB 267, HCS HB 466, HCS HB 90, HCS HB 458, HCS HB 61, HCS HB 74

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 396, HB 615, HB 774, HB 699

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, February 22, 2007, Hearing Room 1, forty-five minutes after morning adjournment.

Executive session may follow.

Public hearings to be held on: HCR 20, HB 669

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Thursday, February 22, 2007,

House Chamber south gallery, forty-five minutes upon morning adjournment.

Executive session.

SPECIAL COMMITTEE ON HEALTH INSURANCE

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 728, HB 729, HB 734

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, February 21, 2007, 12:00 p.m. Hearing Room 1.

Executive session will follow. AMENDED

Public hearings to be held on: HB 482, HB 727

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 851, HB 889

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 21, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 17, HB 448

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 718, HB 775, HB 777, HB 778, HB 779,
HB 780, HB 829, HB 830, HB 831, HB 832, HB 833

SPECIAL COMMITTEE ON RETIREMENT

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 391, HB 392, HB 393, HB 552, HB 553, HB 765

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, February 21, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 686

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 354, HB 752

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 21, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 827

SPECIAL COMMITTEE ON TOURISM

Thursday, February 22, 2007, 9:00 a.m. House Lounge.

Tourism Commission annual report.

Joint meeting with the Senate and House Tourism Committees and Tourism Commission.

Executive session may or may not follow.

WAYS AND MEANS

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 104, HB 119, HB 130, HB 323, HB 360

HOUSE CALENDAR

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 21, 2007

HOUSE BILLS FOR SECOND READING

HB 912 through HB 925

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 7, HA 2, pending - Nieves

HOUSE BILLS FOR PERFECTION

- | | | |
|----|---------------------------------|--------------------------------|
| 1 | HB 262 - Nieves | |
| 2 | HB 263 - Nieves | |
| 3 | HCS HB 327 - Richard | |
| 4 | HCS HB 369 - Fisher | |
| 5 | HCS HB 636, 308 & 173 - Kraus | |
| 6 | HCS HB 40, 116 & 367 - Portwood | |
| 7 | HB 269 - Nolte | |
| 8 | HB 46 - Viebrock | |
| 9 | HB 808- Bearden | (3 hours debate on Perfection) |
| 10 | HCS HB 346 - Munzlinger | |
| 11 | HCS HB 620 - Muschany | |
| 12 | HB 625 - Dempsey | |
| 13 | HB 488 - Wasson | |
| 14 | HCS HB 221 - Yates | |

HOUSE BILLS FOR PERFECTION - CONSENT

(2/19/07)

HB 205 - Marsh

(2/21/07)

- | | |
|---|-----------------------|
| 1 | HB 69 - Day |
| 2 | HCS HB 272 - Viebrock |
| 3 | HB 319 - Villa |
| 4 | HB 344 - Munzlinger |
| 5 | HB 351 - Wood |
| 6 | HB 576 - Cooper (120) |

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 14 - Icet

HOUSE BILL FOR THIRD READING

HCS HB 444, 217, 225, 239, 243, 297, 402 & 172, (Fiscal Review 2-19-07) - Jetton

HOUSE BILL FOR THIRD READING - CONSENT

HB 70 - Day

SENATE BILLS FOR SECOND READING

- 1 SB 19
- 2 SB 25
- 3 SCS SB 52
- 4 SB 81
- 5 SB 84
- 6 SCS SB 115
- 7 SB 152
- 8 SCS SB 232

HOUSE CONCURRENT RESOLUTION

HCR 15, (2-15-07, Page 396) - Threlkeld

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 21, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Blessed be the Lord, our God, who has given us rest according to all that You promised. There has not failed one word of all Your good promise, which You promised to us.

Thank You for positioning us as agents of change for the betterment of this state. Thank You for Your wisdom, favor and protection that is showered upon us, but also for Your hand of protection on our family and staff. May we serve well and continue in health: spirit, soul and body.

May Your unlimited mercy grant us deliverance from all troubles seen and unseen.

Now may these words of ours, with which we have made prayer before You, Lord, be near to You day and night, that You may maintain the cause of Your servants and the cause of the people of this state as each day may require.

For it's in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lucas Sean Wilson, Sumner Sparkman and Blake Sparkman.

The Journal of the twenty-seventh day was approved as printed.

SPECIAL RECOGNITION

The Winona High School Wildcats Volleyball Team was introduced by Representative Kuessner and recognized for attaining the 2006 Class 1 State Volleyball Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 702 through House Resolution No. 717

SECOND READING OF HOUSE BILLS

HB 912 through **HB 925** were read the second time.

SECOND READING OF SENATE BILLS

SB 19, SB 25, SCS SB 52, SB 81, SB 84, SCS SB 115, SB 152 and SCS SB 232 were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 327, relating to job development, was taken up by Representative Richard.

Representative Richard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 327, Section 135.967, Page 10, Line 113, by inserting after all of said line the following:

“14. To foster the development and growth of technology businesses in this state, the department of economic development may designate a “technology and trade zone” in any enhanced enterprise zone. Notwithstanding any provision of law to the contrary, no person, as defined in this subsection, shall establish nexus for any Missouri tax imposed under any chapter of the revised statutes of Missouri, solely because such person uses the services or technology, including, but not limited to, data storage, data manipulation or processing, assembly of products, or any other activity provided by any company within a technology and trade zone. For the purposes of this subsection, the term, “person” shall mean any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 1** was adopted.

Representative Kratky offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 327, Section 135.950, Page 2, Line 30, by deleting from said line the phrase **"hospitals (NAICS sector 622),"**; and

Further amend said bill, Section 620.1878, Page 16, Line 108, by deleting the semicolon on said line and inserting in lieu thereof, the following:

“ Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kratky, **House Amendment No. 2** was adopted.

Representative Pratt offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 327, Section 620.1878, Page 16, Line 99, by deleting from said line the following:

"**Utility services**"; and

Further amend said page, Line 100, by deleting all of said line and inserting in lieu thereof the following:

"**Public utilities (NAICS 221 including water and sewer services)**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pratt, **House Amendment No. 3** was adopted.

Representative Zweifel offered **House Amendment No. 4.**

Representative Smith (150) raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Burnett offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 327, Section 135.950, Page 2, Line 22, by deleting the phrase "**which is partially paid for by the employer**"; and inserting in lieu thereof the following:

"**and at least fifty percent of the insurance premium is paid for by the employer**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative George offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 327, Section 135.967, Page 7, Line 9, by inserting after all of said line the following:

"**Any taxpayer who is awarded state tax credits under this section who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such credits and shall repay the state an amount equal to any state tax credits already redeemed.**"; and

Further amend said bill, Section 620.1881, Page 18, Line 42, by inserting after all of said line the following:

"Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative George, **House Amendment No. 6** was adopted by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 008

Burnett	Chappelle-Nadal	Daus	Fares	Flook
Oxford	Talboy	Young		

PRESENT: 003

Johnson	Low 39	Lowe 44
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ABSENT WITH LEAVE: 007

Avery	Brown 30	Bruns	Cooper 158	Donnelly
Hughes	Schlottach			

Representative Harris (23) offered **House Amendment No. 7.**

Representative Flook raised a point of order that **House Amendment No. 7** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

On motion of Representative Richard, **HCS HB 327, as amended**, was adopted.

On motion of Representative Richard, **HCS HB 327, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 7, with House Amendment No. 2, pending, relating to the language of official proceedings, was taken up by Representative Nieves.

Representative Muschany offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Joint Resolution No. 7, Section 34, Page 1, Line 2, by inserting the following at the end of said line:

"Official proceedings shall be limited to those activities defined in Section 610.010, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is not a true substitute amendment and goes beyond the scope of the underlying amendment.

The Chair ruled the points of order not well taken.

Representative Cooper (120) assumed the Chair.

Representative Talboy offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2**.

House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

HJR 7, with House Substitute Amendment No. 1 for House Amendment No. 2 and House Amendment No. 2, pending, was laid over.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 405**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 732**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 220**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 527**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 479**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Governmental Affairs, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Governmental Affairs, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 16

WHEREAS, Section 21.760 of the Missouri Revised Statutes provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the aforesaid provisions of Section 21.760; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

Mr. Speaker: Your Special Committee on Governmental Affairs, to which was referred **HB 125**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Governmental Affairs, to which was referred **HB 255**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Governmental Affairs, to which was referred **HB 312**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Governmental Affairs, to which was referred **HB 665**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 17

WHEREAS, the western part of Missouri is a growing, vital part of Missouri's commerce and economic development; and

WHEREAS, U.S. Highway 71 is an important link for communities, companies, and citizens along this corridor; and

WHEREAS, the Missouri I-49 Coalition is a nonprofit organization consisting of concerned citizens, organizations, and communities organized for the sole purpose of improving U.S. Highway 71 to interstate standards and designating it as part of Interstate 49; and

WHEREAS, designation of U.S. Highway 71 as a part of I-49 will provide western Missouri with the shortest direct route into international commerce by way of the Gulf of Mexico at New Orleans:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby:

- (1) Recognize the Missouri I-49 Coalition as the official organization for this project in the State of Missouri;
- (2) Recognize the importance of I-49 to the State of Missouri;
- (3) Support the upgrading of U.S. Highway 71 to interstate standards;
- (4) Encourage the Missouri Department of Transportation to support conceptually the idea of an I-49 corridor;
- (5) Encourage the Missouri Congressional Delegation to pursue federal funds to assist with this project; and
- (6) Urge the United States Department of Transportation to support the designation of U.S. Highway 71 in Missouri as a part of Interstate 49; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Mary E. Peters, the Secretary of the United States Department of Transportation, Pete Rahn, the Director of the Missouri Department of Transportation, each member of the Missouri Highways and Transportation Commission, and each member of the Missouri Congressional Delegation.

Special Committee on State Parks and Waterways, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 8

WHEREAS, Chamois, Missouri, is a community located along the Missouri River in northern Osage County which has no means to cross the river except by way of bridges located approximately 45 miles to the west and 30 miles to the east; and

WHEREAS, the people who live in Chamois incur increasingly high costs using present routes in order to reach destinations on the north side of the Missouri River for employment, recreation, and business; and

WHEREAS, people who live on the north side of the Missouri River are equally restricted from accessing destinations on the south side of the Missouri River, respectively; and

WHEREAS, locating a ferryboat on the Missouri River at Chamois would allow residents on both sides to cross the River, reducing travel times and travel costs, provide a safer route, and conserve fuel; and

WHEREAS, locating a ferryboat at Chamois would establish the only reported ferry on the Missouri River and would thereby promote tourism on both sides of the River by attracting more visitors to the area and creating a driving destination for tourists visiting such communities as Hermann, Fulton, and Jefferson City; and

WHEREAS, locating a ferryboat at Chamois would likewise give residents on the south side of the River access to the Katy Trail located on the north side of the River; and

WHEREAS, numerous organizations have endorsed the ferryboat at Chamois, including but not limited to the Hermann Area Chamber of Commerce, the Fulton Area Chamber of Commerce, the county commissions for Osage and Callaway counties, the City of Mokane, the City of Chamois, and the Missouri Division of Tourism; and

WHEREAS, the promoters of the ferryboat at Chamois have requested federal and state funding for the project:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby express support for the Chamois ferryboat and urge the Missouri Department of Economic Development and the Missouri Department of Transportation, along with other state agencies and the Missouri Congressional Delegation, to assist in securing moneys for locating and construction of the ferryboat; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Matt Blunt, Gregory A. Steinhoff, the Director of the Department of Economic Development, Peter Rahn, the Director of the Missouri Department of Transportation, and each member of the Missouri Congressional Delegation.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, the National Foundation for Women Legislators (NFLW) established a National Policy Committee on Veterans Affairs to ensure that the men and women who have served in the Armed Forces are properly honored, revered, and cared for upon completion of their service; and

WHEREAS, our nation established veterans programs to repay and reward veterans for their extraordinary service and sacrifices on behalf of their fellow citizens; and

WHEREAS, many of our nation's older veterans live on fixed incomes and rely on assistance from veterans service organizations (VSOs) to apply for and obtain the benefits owed to them by the federal government; and

WHEREAS, Senate Bill No. 2694 introduced in the United States Congress would amend existing law to permit attorneys and agents to charge veterans claimants for services rendered in the preparation, presentation, and prosecution of claims at all stages of the process; and

WHEREAS, Congress designed the current administrative claims process to be a non-adversarial and pro-veteran, allowing veterans to file claims for disability benefits and receive fair decisions from the United States Department of Veterans Affairs (VA) without having to hire and pay a large portion of their benefits to lawyers; and

WHEREAS, no injured or disabled veteran should have to pay an attorney to obtain the benefits that a grateful nation provides and the veteran is rightfully due:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby oppose any change in law that would authorize attorneys to charge veterans a fee for benefits counseling or any claims services before the United States Department of Veterans Affairs; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 135**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 608**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 74**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 90**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 265**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 267**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 458**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 459**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 926, introduced by Representatives Roorda, Bruns and Meadows, relating to taxation of unauthorized substances.

HB 927, introduced by Representatives Deeken and Roorda, relating to the state merit system.

HB 928, introduced by Representatives Casey, Baker (25), Harris (110), Komo, Meadows, Wildberger, Cooper (158), Sater, Meiners, Schieffer and Haywood, relating to property taxation.

HB 929, introduced by Representatives Casey, Fallert, Day, Nieves, Munzlinger, Wilson (119), Wildberger, Meiners, Sater, Meadows, George, Komo, Hodges, Bland, Bivins, Lampe, Wallace and Moore, relating to sexual offenders at schools.

HB 930, introduced by Representative Zimmerman, relating to deceptive practices in connection with donation receptacles.

HB 931, introduced by Representatives Nasheed, Hoskins, Brown (50), George, Quinn (9), Todd, Oxford, Shively, Wildberger, Holsman, Kuessner, Fallert, Dougherty, Robinson, Chappelle-Nadal, Bowman, Young, Meiners, Komo, McClanahan, Walsh, Villa, Low (39), Donnelly, Frame, Bringer, Bland, Schieffer, Spreng, Wells, Nieves, Portwood, Lembke, McGhee, Jones (117), El-Amin, Hubbard and Talboy, relating to motor vehicle registration notices.

HB 932, introduced by Representatives Grill, Storch, Hodges, LeVota, Scavuzzo, Schoemehl, Grisamore, Young, Skaggs, Kuessner, Jones (89), Schoeller, Burnett, Aull, Hubbard, Nasheed, Norr, Smith (150), Page, Jetton, Robinson, Meiners, Fallert, El-Amin, Pearce, Tilley, Roorda, Kratky, Komo, Meadows, George, Shively, Wilson (119), Silvey, Brandom, Zweifel, Schieffer, Stream and Ruzicka, relating to a tax credit for stay-at-home parents.

HB 933, introduced by Representatives Grill, Grisamore, Whorton, Schieffer, Scavuzzo, Cooper (158), Jones (89), Funderburk, Storch, Kratky, Young, Pratt, Skaggs, Ruzicka, Tilley, Jetton, Burnett, Sater, Kuessner, Silvey, Page and LeVota, relating to driver's licenses for military personnel.

HB 934, introduced by Representative Franz, relating to child abuse and neglect investigations.

HB 935, introduced by Representative Franz, relating to termination of parental rights.

HB 936, introduced by Representative Franz, relating to child support enforcement.

HB 937, introduced by Representative Schneider, relating to ambulance district board member requirements.

HB 938, introduced by Representatives Brown (30), Day, Walton, Smith (14), May, Kraus, Fisher, Dusenberg and Hobbs, relating to the stolen valor act of 2007.

HB 939, introduced by Representative Davis, relating to motorcycle headlight modulators.

HB 940, introduced by Representatives Robb, Baker (123), Portwood, Scharnhorst, Pollock, Cunningham (86), Muschany, Kratky, Daus, Meiners, Fisher, Schieffer, Holsman, Hubbard, Baker (25), Silvey, Zimmerman, Stream and Villa, relating to the establishment of the teach for Missouri act.

HB 941, introduced by Representatives Kingery, Marsh, Bearden, Thomson, Pearce and Haywood, relating to financial records of University of Missouri donors and potential donors.

HB 942, introduced by Representatives Kraus, Dougherty and Moore, relating to teenage drivers.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 284**, entitled:

An act to amend chapter 67, RSMo, by adding thereto twenty new sections relating to the provision of video services, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Bruns, Cooper (158) and Schlottach.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, February 22, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 370, HB 840, HB 841, HB 709, HB 630

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 7.

Review Departments of Agriculture, Natural Resources, and Conservation budgets.

APPROPRIATIONS - EDUCATION

Monday, February 26, 2007, 11:00 a.m. Hearing Room 1.

Presentation from Higher Education Institutions.

Committee discussion possible on budget decision items.

Executive session may follow.

APPROPRIATIONS - EDUCATION

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 3.

Presentation from Higher Education Institutions.

Committee discussion possible on budget decision items.

Executive session may follow.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 5.

Continuation of budget review from Departments of Mental Health, Health and Senior Services, and Social Services.

Committee will reconvene 30 minutes after adjournment and continue until department presentation is completed.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 26, 2007, 10:00 a.m. Hearing Room 5.

Committee will meet for budget review on the Departments of Mental Health, Health and Senior Services, and Social Services.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 2.

Department of Public Safety budget presentation.

Possible Executive session.

HEALTH CARE POLICY

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 5.

Public hearing to be held on: HB 788

HEALTH CARE POLICY

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 5. AMENDED

Executive session will be held on: HB 182, HB 203, HB 554, HB 555, HB 788

JOINT COMMITTEE ON EDUCATION

Monday, February 26, 2007, 11:00 a.m. Senate Committee Room 1.

Discussion with Dr. Kent King (DESE) and

Peter Herschend (President of the State Board of Education).

JOINT COMMITTEE ON EDUCATION

Tuesday, February 27, 2007, 2:00 p.m. Hearing Room 1.

Presentation by Missouri Chamber of Commerce on METS.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, February 26, 2007, 11:00 a.m. Hearing Room 3.

Specialty plates, MO Hospice organization, Arkansas Alumni Association, Highway naming, Reimbursement.

LOCAL GOVERNMENT

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 6.

Executive session on bills heard previously.

Public hearings to be held on: HB 340, HB 480, HB 595

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, February 22, 2007, Hearing Room 1, forty-five minutes after morning adjournment.

Executive session may follow.

Public hearings to be held on: HCR 20, HB 669

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Thursday, February 22, 2007,

House Chamber south gallery, forty-five minutes upon morning adjournment.

Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 718, HB 775, HB 777, HB 778, HB 779, HB 780, HB 829, HB 830, HB 831, HB 832, HB 833

SPECIAL COMMITTEE ON RETIREMENT

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 391, HB 392, HB 393, HB 552, HB 553, HB 765

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 354, HB 752

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Tuesday, February 27, 2007, 2:00 p.m. Hearing Room 1.

Presentation by Missouri Chamber of Commerce on METS in conjunction with the Joint Committee on Education and the Senate Committee on Education.

SPECIAL COMMITTEE ON TOURISM

Thursday, February 22, 2007, 9:00 a.m. House Lounge.

Tourism Commission annual report.

Joint meeting with the Senate and House Tourism Committees and Tourism Commission.

Executive session may or may not follow.

WAYS AND MEANS

Thursday, February 22, 2007, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 104, HB 119, HB 130, HB 323, HB 360

HOUSE CALENDAR

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 22, 2007

HOUSE BILLS FOR SECOND READING

HB 926 through HB 942

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 7, HSA 1 for HA 2 , HA 2, pending - Nieves

HOUSE BILLS FOR PERFECTION

- 1 HB 262 - Nieves
- 2 HB 263 - Nieves
- 3 HCS HB 369 - Fisher
- 4 HCS HB 636, 308 & 173 - Kraus
- 5 HCS HBs 40, 116 & 367 - Portwood
- 6 HB 269 - Nolte
- 7 HB 46 - Viebrock
- 8 HB 808 - Bearden (3 hours debate on Perfection)
- 9 HCS HB 346 - Munzlinger
- 10 HCS HB 620 - Muschany
- 11 HB 625 - Dempsey
- 12 HB 488 - Wasson
- 13 HCS HB 221 - Yates

HOUSE BILLS FOR PERFECTION - CONSENT

(2/19/07)

HB 205 - Marsh

(2/21/07)

- 1 HB 69 - Day
- 2 HCS HB 272 - Viebrock
- 3 HB 319 - Villa
- 4 HB 344 - Munzlinger
- 5 HB 351 - Wood
- 6 HB 576 - Cooper (120)

(2/22/07)

- 1 HB 264 - Cunningham (86)
- 2 HCS HB 459 - Sutherland
- 3 HCS HB 678 - Marsh

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 1 - Cunningham (86)

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 14 - Icet

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172 - Jetton
- 2 HCS HB 327 - Richard

HOUSE BILL FOR THIRD READING - CONSENT

HB 70 - Day

SENATE BILL FOR SECOND READING

SS SCS SB 284

HOUSE CONCURRENT RESOLUTION

HCR 15, (2-15-07, Page 396) - Threlkeld

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 22, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Archbishop Malkhaz Songulashvili, Evangelical Baptist Union of Georgia.

O God Almighty, lead us all from death to life, from falsehood to truth. Lead us all from despair to hope, from fear to trust. Lead us all from hate to love, from war to peace.

We pray to You, O Lord, that Your holy angels may lead us in the paths of peace, justice and goodwill; that there may be pardon and forgiveness for our sins against nature and our fellow human beings.

We pray that there may be peace everywhere around the globe, and that all of Your children enjoy the beauty and wisdom of Your creation. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Clayton Weems, Rachel Bigham, Cedar Willis, Acacia Willis, Jenna Clark, Sarah Clark, Luke Clark, Grace Clark, Dale Johnston, Rachel Johnston and Christine Tew.

The Journal of the twenty-eighth day was approved as printed.

SPECIAL RECOGNITION

Representative Ward Franz was presented a resolution by Speaker Jetton and recognized as an Outstanding Missourian.

Representative Pratt assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 718 through House Resolution No. 752

HOUSE CONCURRENT RESOLUTIONS

Representative Guest, et al., offered House Concurrent Resolution No. 33.

Representative Oxford, et al., offered House Concurrent Resolution No. 34.

SECOND READING OF HOUSE BILLS

HB 926 through **HB 942** were read the second time.

SECOND READING OF SENATE BILL

SS SCS SB 284 was read the second time.

PERFECTION OF HOUSE BILLS

HB 262 was placed on the Informal Calendar.

HCS HB 369 was placed on the Informal Calendar.

HB 808, relating to the Betty L. Thompson Scholarship Program, was taken up by Representative Bearden.

HB 808 was laid over.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 14** was read the third time and passed by the following vote:

AYES: 153

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14

Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 005

Harris 23	Oxford	Talboy	Whorton	Yates
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Brown 30	Hughes	Parson	Roorda
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Representative Pratt declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, relating to a deduction for social security, was taken up by Representative Jetton.

On motion of Representative Jetton, **HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172** was read the third time and passed by the following vote:

AYES: 129

Aull	Baker 123	Bearden	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock

Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Young	Mr Speaker	

NOES: 028

Baker 25	Bowman	Chappelle-Nadal	Darrough	Daus
George	Harris 110	Holsman	Kratky	Kuessner
Low 39	Lowe 44	Nasheed	Oxford	Robinson
Schoemehl	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Hughes	Parson	Roorda
Spreng				

Representative Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

HCS HB 327, relating to job development, was taken up by Representative Richard.

On motion of Representative Richard, **HCS HB 327** was read the third time and passed by the following vote:

AYES: 157

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey

Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Hughes	Parson	Roorda
Spreng				

Speaker Jetton declared the bill passed.

Representative Pearce assumed the Chair.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 1, relating to state court jurisdiction, was taken up by Representative Cunningham (86).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Quinn 9	Robinson	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Brown 30	Haywood	Hughes	Page
Parson	Pratt	Roorda	Spreng	Sutherland
Whorton				

On motion of Representative Cunningham (86), **HCS HJR 1** was read the third time and passed by the following vote:

AYES: 091

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hodges	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Loehner
Marsh	May	McClanahan	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
Fallert	Frame	George	Grill	Harris 23
Harris 110	Holsman	Hoskins	Hubbard	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota

Liese	Lipke	Low 39	Lowe 44	Meadows
Meiners	Nasheed	Norr	Oxford	Quinn 9
Robinson	Rucker	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Brown 30	El-Amin	Haywood	Hughes
Page	Parson	Pratt	Roorda	Spreng
Sutherland	Whorton			

Representative Pearce declared the bill passed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 7, with House Substitute Amendment No. 1 for House Amendment No. 2, and House Amendment No. 2, pending, relating to the language of official proceedings, was taken up by Representative Nieves.

Representative Talboy offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 2**.

House Amendment No. 2
to
House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Substitute Amendment No.1 for House Amendment No. 2 to House Joint Resolution No. 7, Page 1, Lines 2-3, by deleting all of said lines and inserting in lieu thereof the following:

'the end of said line: "**Official proceeding shall be limited to any meeting of a public governmental body at which any public business is discussed, decided, or public policy formulated, whether such meeting is conducted in person or by means of communication equipment, including, but not limited to, conference call, video conference, Internet chat, or Internet message board. The term "public meeting" shall not include an informal gathering of members of a public governmental body for ministerial or social purposes when there is no intent to avoid the purposes of this chapter, but the term shall include a public vote of all or a majority of the members of a public governmental body, by electronic communication or any other means, conducted in lieu of holding a public meeting with the members of the public governmental body gathered at one location in order to conduct public business.**"'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Bearden assumed the Chair.

On motion of Representative Talboy, **House Amendment No. 2 to House Subsitute Amendment No. 1 for House Amendment No. 2** was adopted.

On motion of Representative Muschany, **House Substitute Amendment No. 1 for House Amendment No. 2, as amended**, was adopted.

Representative Skaggs offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Joint Resolution No. 7, in the Elections Clause, Page 1, Line 1, by deleting the word "general" and inserting in lieu thereof "primary"; and

Further amend said clause and page, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"following the first Monday in August, 2008,"; and

Further amend said clause and page, Line 3, by deleting "governor for that purpose,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Joint Resolution No. 7, in the Elections Clause, Page 1, Line 1, by deleting the word "general"; and

Further amend said clause and page, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"following the first Monday in February, 2008,"; and

Further amend said clause and page, Line 3, by deleting "governor for that purpose,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Skaggs moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins

Hubbard	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Norr	Quinn 9	Robinson
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	St. Onge	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

NOES: 085

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 014

Avery	Brown 30	Bruns	Haywood	Hughes
Johnson	Page	Parson	Pratt	Roorda
Self	Spreng	Viebrock	Whorton	

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Hobbs	Hodges	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Pearce	Pollock
Portwood	Quinn 7	Richard	Robb	Ruestman

Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 058

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Harris 23	Harris 110
Holsman	Hoskins	Hubbard	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Nasheed	Norr
Oxford	Quinn 9	Robinson	Rucker	Salva
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Brown 30	Bruns	Haywood	Hughes
Johnson	Page	Parson	Pratt	Roorda
Self	Spreng	Viebrock	Whorton	

On motion of Representative Nieves, **HJR 7, as amended**, was ordered perfected and printed by the following vote:

AYES: 117

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fallert	Fisher	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Robinson	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Wallace

Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Zweifel	Mr Speaker			

NOES: 030

Bland	Bowman	Brown 50	Burnett	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Dougherty
El-Amin	Fares	Flook	George	Hubbard
LeVota	Low 39	Lowe 44	Nasheed	Oxford
Schoemehl	Talboy	Villa	Vogt	Walsh
Walton	Wright-Jones	Yaeger	Young	Zimmerman

PRESENT: 003

Quinn 9	Rucker	Todd
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ABSENT WITH LEAVE: 013

Avery	Brown 30	Bruns	Haywood	Hughes
Johnson	Page	Parson	Pratt	Roorda
Self	Spreng	Whorton		

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 30 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 47 - Special Committee on Utilities
HB 87 - Special Committee on Tax Reform
HB 112 - Special Committee on Utilities
HB 162 - Local Government
HB 317 - Crime Prevention and Public Safety
HB 335 - Crime Prevention and Public Safety
HB 406 - Crime Prevention and Public Safety
HB 503 - Special Committee on Professional Registration and Licensing
HB 511 - Transportation
HB 586 - Special Committee on Professional Registration and Licensing
HB 603 - Local Government
HB 622 - Transportation
HB 632 - Corrections and Public Institutions
HB 634 - Crime Prevention and Public Safety
HB 640 - Special Committee on General Laws
HB 641 - Special Committee on Government Affairs
HB 650 - Special Committee on Health Insurance
HB 654 - Special Committee on Veterans

HB 657 - Special Committee on Professional Registration and Licensing
HB 661 - Special Committee on Retirement
HB 687 - Crime Prevention and Public Safety
HB 688 - Special Committee on Rural Community Development
HB 701 - Local Government
HB 703 - Crime Prevention and Public Safety
HB 704 - Crime Prevention and Public Safety
HB 723 - Health Care Policy
HB 725 - Special Committee on Rural Community Development
HB 735 - Special Committee on Government Affairs
HB 742 - Judiciary
HB 744 - Transportation
HB 746 - Special Committee on Retirement
HB 748 - Special Committee on Agri-Business
HB 753 - Special Committee on Professional Registration and Licensing
HB 795 - Special Committee on Job Creation and Economic Development
HB 796 - Special Committee on Senior Citizen Advocacy
HB 801 - Special Committee on Utilities
HB 807 - Special Committee on Student Achievement
HB 810 - Special Committee on Energy and Environment
HB 815 - Special Committee on Professional Registration and Licensing
HB 835 - Special Committee on Professional Registration and Licensing
HB 845 - Special Committee on General Laws
HB 847 - Judiciary
HB 849 - Crime Prevention and Public Safety
HB 850 - Special Committee on Government Affairs
HB 852 - Judiciary
HB 853 - Judiciary
HB 856 - Special Committee on Retirement
HB 865 - Special Committee on Family Services
HB 875 - Special Committee on Retirement
HB 892 - Special Committee on Veterans
HB 893 - Crime Prevention and Public Safety
HB 894 - Elections
HB 906 - Special Committee on Energy and Environment
HB 914 - Special Committee on Professional Registration and Licensing
HB 915 - Special Committee on Veterans
HB 916 - Special Committee on Veterans
HB 919 - Local Government
HB 921 - Ways and Means
HB 930 - Judiciary

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 284 - Special Committee on Utilities

COMMITTEE REPORTS

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 28**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 426**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Homeland Security, Chairman Dusenberg reporting:

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **HB 155**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 23, introduced by Representative Lembke, relating to human cloning.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 943, introduced by Representative Sutherland, relating to licensure of long-term care facilities.

HB 944, introduced by Representative Cooper (120), relating to the shipping of liquor.

HB 945, introduced by Representatives Parson, Day, Portwood, Bivins, Meadows, Wilson (119), McGhee, Jones (117) and Schad, relating to crimes against criminal justice officials and corrections personnel.

HB 946, introduced by Representatives Walsh, Wildberger, Roorda, Meiners, Zweifel, Liese, Donnelly, Meadows, Wallace, Kratky, Page, Spreng, Vogt, Harris (110), Frame, Chappelle-Nadal, Lowe (44), Norr, George, Bowman, Daus, Villa and Schoemehl, relating to electrical corporations.

HB 947, introduced by Representatives Walsh, Wildberger, Vogt, Harris (110), Frame, Nasheed, Chappelle-Nadal, Lowe (44), Schieffer, Norr, Fallert, George, Lampe, Bowman, Meiners, Daus, Villa, Spreng, Haywood, Aull, Young, Schoemehl, Donnelly, Oxford, Meadows, Corcoran, Fisher, Casey, Wright-Jones and Johnson, relating to private mental health facilities and group homes.

HB 948, introduced by Representative Schaaf, relating to newborn screening.

HB 949, introduced by Representative Schlottach, relating to state officers' and state employees' retirement system.

HB 950, introduced by Representative Schlottach, relating to the Missouri department of transportation and highway retirement system.

HB 951, introduced by Representatives Faith and Schoemehl, relating to early intervention services.

HB 952, introduced by Representatives Wilson (130), Dempsey, Nance, Schad, Franz, Denison, Day, Nolte, Kingery, Wilson (119), Bruns, Sater, Ruestman, Page, Corcoran, Bivins, Chappelle-Nadal and Norr, relating to fire protection in long-term care facilities.

HB 953, introduced by Representatives Page, Wasson, Donnelly, Low (39), Parson, Kratky, Chappelle-Nadal, Holsman, Storch and Yaeger, relating to licensing of social workers.

HB 954, introduced by Representative Franz, relating to the placement of children.

HB 955, introduced by Representatives Guest, Ruestman, Wallace and McGhee, relating to the work for restitution program.

HB 956, introduced by Representatives Cooper (155), Bruns, Schaaf, Threlkeld and Sater, relating to public health emergency preparedness.

HB 957, introduced by Representative Cooper (155), relating to the brain injury advisory council.

HB 958, introduced by Representative Wood, relating to transient guest taxes.

HB 959, introduced by Representatives Oxford, Chappelle-Nadal, Johnson, Hoskins, El-Amin, Brown (50), Roorda, Meadows, Bowman, Young, Low (39), Talboy, Walsh, Nasheed, Daus, Holsman, Rucker, Bland, Curls and Wright-Jones, relating to provision of heat-related utility services to low-income persons.

HB 960, introduced by Representatives Cox, Bruns, Onder, Davis, Kraus, Smith (150), Schoeller, Wright, Grisamore, Cunningham (145), Nieves and Ruestman, relating to Internet sex crimes against children.

HB 961, introduced by Representatives Cox, Bruns, Davis, Kraus, Smith (150), Schoeller, Wright, Grisamore, Cunningham (145), Nieves and Ruestman, relating to child pornography.

HB 962, introduced by Representative Davis, relating to permits to acquire concealable firearms.

HB 963, introduced by Representatives Storch, Harris (23), Kuessner, Burnett, Wildberger, Oxford, Baker (25) and Frame, relating to crime of bribery of a public servant.

HB 964, introduced by Representatives Donnelly, Baker (25), Walsh, LeVota, Wright-Jones, Harris (23), McClanahan, Yaeger, Harris (110), Talboy, Storch, Lampe, Norr, Scavuzzo, Robinson, Fallert, Chappelle-Nadal, Zimmerman, Curls, Schoemehl, Daus, Johnson, Rucker, Darrough, Nasheed, Zweifel, Corcoran, Aull, Lowe (44), Shively, Villa, Witte and Swinger, relating to a mental health pilot project.

HB 965, introduced by Representatives Donnelly, Zweifel, Low (39), Page, Yaeger, Baker (25), Hodges, Daus, Corcoran, LeVota, Walsh, Oxford, Storch, Meadows, Meiners, Wright-Jones, Harris (23), McClanahan, Talboy, Grill, Lampe, Norr, Scavuzzo, Holsman, Fallert, Robinson, Chappelle-Nadal, Zimmerman, Curls, Schoemehl, Johnson, Burnett, Rucker, Darrough, Nasheed, Aull, Bowman, Lowe (44), Shively, Liese, Casey, Quinn (9), Villa, Witte, Swinger, Young and Bland, relating to the preschool plus grant program.

HB 966, introduced by Representatives Hunter, Wilson (130), Ruestman, Sater, Quinn (7), Bivins and Wallace, relating to cease and desist order by the department of natural resources.

HB 967, introduced by Representatives Bivins, Lembke, Dixon, Munzlinger, Guest and Wallace, relating to minutes of public governmental body meetings.

HB 968, introduced by Representatives Bivins, Moore and Munzlinger, relating to environmental audits.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 127**, entitled:

An act to repeal section 104.040, RSMo, and to enact in lieu thereof one new section relating to the highway patrol retirement system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 198**, entitled:

An act to repeal section 253.095, RSMo, and to enact in lieu thereof one new section relating to park services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 264**, entitled:

An act to repeal section 235.210, RSMo, and to enact in lieu thereof one new section relating to street light maintenance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 288**, entitled:

An act to authorize the conveyance of certain state properties, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 298**, entitled:

An act to repeal section 206.090, RSMo, and to enact in lieu thereof one new section relating to hospital districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 322**, entitled:

An act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to commercial zones.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 339**, entitled:

An act to repeal section 290.250, RSMo, and to enact in lieu thereof eight new sections relating to public contracts, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 401**, entitled:

An act to repeal sections 104.344 and 104.1090, RSMo, and to enact in lieu thereof three new sections relating to purchase of creditable prior service by members of the Missouri state employees' retirement system and the Missouri department of transportation and highway patrol employees' retirement system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 402**, entitled:

An act to repeal sections 104.395, 104.1012, 104.1015, 104.1024, 104.1027, and 104.1072, RSMo, and to enact in lieu thereof six new sections relating to retirement plan election options.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 403**, entitled:

An act to repeal sections 104.312 and 104.1051, RSMo, and to enact in lieu thereof two new sections relating to orders for division of benefits under the Missouri state employees' retirement system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 404**, entitled:

An act to repeal sections 104.380 and 104.1039, RSMo, and to enact in lieu thereof two new sections relating to the reemployment of retired members of the Missouri state employees' retirement system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 420**, entitled:

An act to repeal section 644.021, RSMo, and to enact in lieu thereof one new section relating to membership on the clean water commission, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Parson.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, February 26, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 7.

Review Departments of Agriculture, Natural Resources, and Conservation budgets. CANCELLED

APPROPRIATIONS - EDUCATION

Monday, February 26, 2007, 11:00 a.m. Hearing Room 1.

Presentation from Higher Education Institutions.

Committee discussion possible on budget decision items.

Executive session may follow.

APPROPRIATIONS - EDUCATION

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 3.

Presentation from Higher Education Institutions.

Committee discussion possible on budget decision items.

Executive session may follow.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 26, 2007, 12:00 p.m. Hearing Room 3.

Departments of Revenue, Statewide Elected Officials, Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, and Attorney General.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 26, 2007, 10:00 a.m. Hearing Room 5.

Committee will meet for budget review on the Departments of Mental Health, Health and Senior Services, and Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 27, 2007, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Department of Social Services.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 26, 2007, 12:30 p.m. Hearing Room 6.

Discuss recommendations for Economic Development; Labor and Industrial Relations; Insurance, Financial Institutions and Professional Registration; and Transportation.

Executive session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 27, 2007, 5:00 p.m. Hearing Room 1.

Budget recommendations for Economic Development; Labor and Industrial Relations; Insurance, Financial Institutions and Professional Registration; and Transportation (if necessary).

Discuss Committee report.

Executive session may follow.

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, February 27, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 754, HB 820

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 136, HB 177, HB 739, HB 770

ELECTIONS

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 158, HB 502, HB 911, HB 894

HEALTH CARE POLICY

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 5. AMENDED

Public hearings to be held on: HB 788, HB 212

HEALTH CARE POLICY

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 5. AMENDED

Executive session will be held on: HB 182, HB 203, HB 212, HB 554, HB 555, HB 788

HIGHER EDUCATION

Tuesday, February 27, 2007, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 181, HB 213

INSURANCE POLICY

Monday, February 26, 2007, House Chamber south gallery upon afternoon adjournment.

Executive session.

JOINT COMMITTEE ON EDUCATION

Monday, February 26, 2007, 11:00 a.m. Senate Committee Room 1.

Discussion with Dr. Kent King (DESE) and

Peter Herschend (President of the State Board of Education).

JOINT COMMITTEE ON EDUCATION

Tuesday, February 27, 2007, 2:00 p.m. Hearing Room 1.

Presentation by Missouri Chamber of Commerce on METS.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Monday, February 26, 2007, 11:00 a.m. Hearing Room 3.

Specialty plates, MO Hospice organization, Arkansas Alumni Association, Highway naming, Reimbursement.

JUDICIARY

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 408, HB 546, HB 714

LOCAL GOVERNMENT

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 6.

Executive session immediately following hearing. AMENDED

Public hearings to be held on: HB 340, HB 480, HB 595

RULES - PURSUANT TO RULE 25(21)(f)

Monday, February 26, 2007, Hearing Room 6 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCR 28, HCR 17, HCR 16, HCR 8, HCS HB 135,
HCS HB 608, HCS HB 405, HB 732, HCS HB 16, HB 527, HB 220, HB 526, HB 255, HB 665

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, February 27, 2007, Hearing Room 2 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 673, HB 637, HB 452

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Thursday, March 1, 2007, upon morning adjournment Hearing Room 5.

Joint hearing with Special Committee on Utilities.

Testimony will include forecasted electricity demands, generation methods,
and energy conservation. NO PUBLIC TESTIMONY.

Executive session may follow.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 194, HB 722, HB 679

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Tuesday, February 27, 2007, 2:00 p.m. Hearing Room 1.

Presentation by Missouri Chamber of Commerce on METS in conjunction
with the Joint Committee on Education and the Senate Committee on Education.

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 5.

Public hearing to be held on: SS SCS SB 284

Executive session will be held on: HB 429

SPECIAL COMMITTEE ON UTILITIES

Thursday, March 1, 2007, upon morning adjournment Hearing Room 5.

Joint hearing with Special Committee on Energy and Environment.

Testimony will include forecasted electricity demands, generation methods, and energy conservation. NO PUBLIC TESTIMONY.

Executive session may follow.

HOUSE CALENDAR

THIRTIETH DAY, MONDAY, FEBRUARY 26, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 23 - Lembke

HOUSE BILLS FOR SECOND READING

HB 943 through HB 968

HOUSE BILLS FOR PERFECTION

- | | | |
|----|---------------------------------|--------------------------------|
| 1 | HB 263 - Nieves | |
| 2 | HCS HB 636, 308 & 173 - Kraus | |
| 3 | HCS HB 40, 116 & 367 - Portwood | |
| 4 | HB 269 - Nolte | |
| 5 | HB 46 - Viebrock | |
| 6 | HB 808 - Bearden | (3 hours debate on Perfection) |
| 7 | HCS HB 346 - Munzlinger | |
| 8 | HCS HB 620 - Muschany | |
| 9 | HB 625 - Dempsey | |
| 10 | HB 488 - Wasson | |
| 11 | HCS HB 221 - Yates | |
| 12 | HCS HB 61 - Ruestman | |
| 13 | HCS HB 458 - Sutherland | |
| 14 | HCS HB 74 - Wilson (119) | |

HOUSE BILLS FOR PERFECTION - INFORMAL

- | | |
|---|---------------------|
| 1 | HB 262 - Nieves |
| 2 | HCS HB 369 - Fisher |

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/19/07)

HB 205 - Marsh

(2/21/07)

- 1 HB 69 - Day
- 2 HCS HB 272 - Viebrock
- 3 HB 319 - Villa
- 4 HB 344 - Munzlinger
- 5 HB 351 - Wood
- 6 HB 576 - Cooper (120)

(2/22/07)

- 1 HB 264 - Cunningham (86)
- 2 HCS HB 459 - Sutherland
- 3 HCS HB 678 - Marsh

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 7 - Nieves

HOUSE BILL FOR THIRD READING - CONSENT

HB 70 - Day

SENATE BILLS FOR SECOND READING

- 1 SB 127
- 2 SCS SB 198
- 3 SB 264
- 4 SCS SB 288
- 5 SB 298
- 6 SB 322
- 7 SCS SB 339
- 8 SB 401
- 9 SB 402

10 SB 403
11 SB 404
12 SCS SB 420

HOUSE CONCURRENT RESOLUTION

HCR 15, (2-15-07, Page 396) - Threlkeld

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTIETH DAY, MONDAY, FEBRUARY 26, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Yours, O Lord, is the greatness, the power and the glory, the victory and the majesty; all things are from You.

You have helped us when we were without power, counseled us when we sought wisdom, and declared sound advice to us when we sought direction.

Father, reveal to us those areas where we are focused on ourselves in a manner that hinders our effectiveness and efficiency as willing servants. Empower us by Your Spirit to see how we can better serve our constituents and this state. Lead us in plain paths of growth in grace.

Now may You, the God of hope, fill us with all joy and peace in believing, so that we would abound in hope by the power of Your Spirit.

For it's in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-ninth day was approved as printed by the following vote:

AYES: 141

Aull	Bearden	Bivins	Brandom	Bringer
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo

Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 008

Daus	Flook	George	Harris 23	Low 39
Lowe 44	Talboy	Vogt		

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 013

Avery	Baker 25	Baker 123	Bland	Bowman
Brown 30	Brown 50	Cooper 120	Cooper 155	Dougherty
Hughes	Parson	Walton		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 753 through House Resolution No. 781

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 23 was read the second time.

SECOND READING OF HOUSE BILLS

HB 943 through **HB 968** were read the second time.

SECOND READING OF SENATE BILLS

SB 127, SCS SB 198, SB 264, SCS SB 288, SB 298, SB 322, SCS SB 339, SB 401, SB 402, SB 403, SB 404 and **SCS SB 420** were read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 40, 116 & 367, relating to long-term care insurance, was taken up by Representative Portwood.

Representative Portwood offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 40, 116 & 367, Page 3, Section 208.696, by inserting after all of said section the following:

“Section 1. Under section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 208.690 to 208.696 shall sunset automatically six years after the effective date of said sections unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 208.690 to 208.696 shall sunset automatically twelve years after the effective date of the reauthorization of sections 208.690 to 208.696.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 1** was adopted.

Representative Portwood offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 40, 116 & 367, Pages 2 & 3, Sections 208.690, 208.692, 208.694, and 208.696, by deleting all of said sections and inserting in lieu thereof the following:

"208.690. 1. This act shall be known and may be cited as the "Missouri Long-term Care Partnership Program Act".

2. As used in sections 208.690 to 208.699, the following terms shall mean:

(1) "Asset disregard," the disregard of any assets or resources in an amount equal to the insurance benefit payments that are used on behalf of the individual;

(2) "Missouri Qualified Long-term Care Partnership approved policy", a long-term care insurance policy certified by the director of the department of insurance, financial institutions and professional registration as meeting the requirements of:

(a) The National Association of Insurance Commissioners' Long-term Care Insurance Model Act and Regulation as specified in 42 U.S.C. 1917(b); and

(b) The provisions of Section 6021 of the Federal Deficit Reduction Act of 2005.

(3) "State Medicaid program", the medical assistance program established in this state under Title XIX of the federal Social Security Act;

(4) "State plan amendment", a state Medicaid plan amendment to the federal Department of Health and Human Services that, in determining eligibility for state Medicaid benefits, provides for the disregard of any assets or resources in an amount equal to the insurance benefit payments that are made to or on behalf of an individual who is a beneficiary under a qualified long-term care insurance partnership policy.

208.692. 1. In accordance with Section 6021 of the Federal Deficit Reduction Act of 2005, there is established the Missouri Long-term Care Partnership Program, which shall be administered by the department of social services in conjunction with the department of insurance, financial institutions and professional registration. The program shall:

(1) Provide incentives for individuals to insure against the costs of providing for their long-term care needs;

(2) Provide a mechanism for individuals to qualify for coverage of the cost of their long-term care needs under the state Medicaid program without first being required to substantially exhaust their resources; and

(3) Alleviate the financial burden on the state's Medicaid program by encouraging the pursuit of private initiatives.

2. Upon the exhaustion of benefits or upon the diminishment of assets below the anticipated remaining benefits under a Missouri qualified long-term care partnership approved policy, certain assets of an individual, as provided in subsection 3 of this section, shall be disregarded when determining any of the following:

- (1) Medicaid eligibility;
- (2) The amount of any Medicaid payment; and
- (3) Any subsequent recovery by the state of a payment for medical services.

3. The department of social services shall:

(1) Within one hundred eighty days of the effective date of sections 208.690 to 208.699, make application to the federal Department of Health and Human Services for a state plan amendment to establish a program that, in determining eligibility for state Medicaid benefits, provides for the disregard of any assets or resources in an amount equal to the insurance benefit payments that are made to or on behalf of an individual who is a beneficiary under a qualified long-term care insurance partnership policy; and

(2) Provide information and technical assistance to the department of insurance, financial institutions and professional registration to assure that any individual who sells a qualified long-term care insurance partnership policy receives training and demonstrates evidence of an understanding of such policies and how they relate to other public and private coverage of long-term care.

4. The department of social services shall promulgate rules to implement the provisions of sections 208.690 to 208.699. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions 43 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

208.694. 1. An individual who is beneficiary of a Missouri qualified long-term care partnership approved policy is eligible for assistance under the state Medicaid program using asset disregard under sections 208.690 to 208.699.

2. If the Missouri long-term care partnership program is discontinued, an individual who purchased a qualified long-term care partnership approved policy prior to the date the program was discontinued shall be eligible to receive asset disregard, as provided by Title VI, Section 6021 of the Federal Deficit Reduction Act of 2005.

3. The department of social services may enter into reciprocal agreements with other states that have asset disregard provisions established under Title VI, Section 6021 of the Federal Deficit Reduction Act of 2005 in order to extend the asset disregard to Missouri residents who purchase long-term care policies in another state.

208.696. 1. The director of the department of insurance, financial institutions and professional registration shall:

(1) Develop requirements to ensure that any individual who sells a qualified long-term care insurance partnership policy receives training and demonstrates evidence of an understanding of such policies and how they relate to other public and private coverage of long-term care;

(2) Impose no requirements affecting the terms or benefits of qualified long-term care partnership policies unless the director imposes such a requirement on all long-term care policies sold in this state, without regard to whether the policy is covered under the partnership or is offered in connection with such partnership; and

(3) Develop a summary notice in clear, easily understood language for the consumer purchasing qualified long-term care insurance partnership policies on the current law pertaining to asset disregard and asset tests.

2. The director of the department of insurance, financial institutions and professional registration shall promulgate rules to carry out the provisions of this section, and on the process for certifying the qualified long-term care partnership policies. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

208.698. The issuers of qualified long-term care partnership policies in this state shall provide regular reports to both the Secretary of the Department of Health and Human Services in accordance with federal law

and regulations and to the department of social services and the department of insurance, financial institutions and professional registration as provided in Section 6021 of the Federal Deficit Reduction Act of 2005.

208.699. Under section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 208.690 to 208.698 shall sunset automatically six years after the effective date of said sections unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 208.690 to 208.698 shall sunset automatically twelve years after the effective date of the reauthorization of sections 208.690 to 208.698; and

(3) Sections 208.690 to 208.698 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under said sections is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 2** was adopted.

Representative Skaggs offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 40, 116 & 367, Section 135.096, Page 1, Line 2, by inserting after the words, "December 31, 1999", the following words, "**and before December 31, 2006**"; and

Further amend said bill, Section 135.096, Lines 6 to 9, by deleting all of said lines and inserting in lieu thereof the following words, "**all taxable years beginning on or after January 1, 2007, a resident individual shall be allowed a tax credit for costs incurred for qualified long-term care insurance premiums to the extent such amounts are not included in the individual's itemized deductions. The tax credit amount shall be equal to fifty percent of the costs of the qualified long-term care insurance premiums. The amount of the tax credit issued shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall be refundable, nor shall any tax credit granted under this section be transferred, sold, or assigned.**

The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said bill, Section 135.096, Page 1, Line 10, by deleting the word, "deductions."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Zweifel offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill Nos. 40, 116 & 367, Section 135.096, Page 1, Lines 8 & 9, by deleting the following words, "amounts are not included in the individual's itemized deductions" and inserting in lieu thereof the following words, "**taxpayer has not itemized their deductions on their Federal individual income tax return**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zweifel, **House Amendment No. 1 to House Amendment No. 3** was adopted.

Representative Skaggs moved that **House Amendment No. 3, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 067

Aull	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Johnson	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

NOES: 085

Bearden	Bivins	Brandom	Bruns	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Baker 25	Baker 123	Bowman	Brown 30
Brown 50	Cooper 155	Deeken	Dougherty	Hughes
Parson				

Representative Talboy offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 40, 116 & 367, Page 2, Section 135.096, Line 17, by inserting immediately following the word “insurance.” the following:

“Notwithstanding any other provision of law to the contrary, two or more insurers issuing a qualified long term care insurance policy shall not act in concert with each other and with others with respect to any matters pertaining to the making of rates or rating systems, the preparation or making of insurance policy forms, underwriting rules, surveys, inspections and investigations, the furnishing of loss or expense statistics or other information and data, or carrying on of research.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wilson (130) offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill Nos. 40, 116 & 367, Page 1, Lines 5-8, by deleting all of said lines and inserting in lieu thereof the following:

"with respect to any matters pertaining to the making of rates or rating systems."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (130), **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Talboy, **House Amendment No. 4, as amended**, was adopted.

On motion of Representative Portwood, **HCS HBs 40, 116 & 367, as amended**, was adopted.

On motion of Representative Portwood, **HCS HBs 40, 116 & 367, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 433 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 583** - Special Committee on Family Services
- HB 733** - Special Committee on General Laws
- HB 802** - Special Committee on Health Insurance
- HB 882** - Special Committee on Government Affairs
- HB 910** - Special Committee on Tourism
- HB 953** - Special Committee on Professional Registration and Licensing

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

- SCS SB 339** - Special Committee on Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 166**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 469**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 669**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 774**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Small Business, Chairman Ervin reporting:

Mr. Speaker: Your Special Committee on Small Business, to which was referred **HB 365**, **HB 804** and **HB 805**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 489**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tax Reform, Chairman Stevenson reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 131**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

ADVANCEMENT OF CONSENT BILL

Pursuant to Rule 45(b), the following bill, having remained on the House Consent Calendar for Perfection for five legislative days, was ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 205**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 24, introduced by Representatives Threlkeld, Nieves, Lembke, Portwood, Silvey, Emery, Robb, Dusenberg, Schaaf, Cooper (120), Richard, Davis, Sater, Bruns, Ruestman, Onder and Jones (89), relating to property taxation.

HJR 25, introduced by Representatives Kingery, Marsh, Nance, Whorton, Corcoran and Villa, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 969, introduced by Representatives Lampe, Swinger, Meadows, Frame, Wright-Jones, Komo, Roorda, Walsh, Donnelly, Schoemehl, Baker (25), Corcoran, Hodges, Dougherty and Cunningham (86), relating to gifted education.

HB 970, introduced by Representatives Dixon, El-Amin, Nolte, Bivins, Moore, Stream, Meadows, Meiners and Wallace, relating to a tax credit for donations to public school foundations.

HB 971, introduced by Representatives Pollock, Wright, Kingery and Onder, relating to students participating in school clubs.

HB 972, introduced by Representatives Deeken, Schneider, Page and Moore, relating to ignition interlock restricted driver's licenses.

HB 973, introduced by Representatives Silvey, Portwood, Lembke, Avery, Schneider, Talboy, Holsman, Grill, Skaggs, Hubbard, Zimmerman, Brown (50), El-Amin, Threlkeld, Burnett, Page, Nasheed, Hoskins, Low (39), Walsh, Frame, Norr, Wildberger, Lowe (44), Meiners, Dougherty, Casey, Harris (110) and Fallert, relating to fee agent offices.

HB 974, introduced by Representatives Silvey, Nolte, Ervin, Flook, Baker (123), Lembke, Schieffer, Quinn (7), Skaggs, Tilley, Deeken, McGhee, Grill and Nance, relating to drinking establishments.

HB 975, introduced by Representatives Silvey, Lembke, Jones (89), Talboy, Portwood, Nieves, Muschany, Dixon, Schoeller, Cooper (120), Nance, Schneider, Walsh, Lowe (44), Frame, Wildberger, Holsman, Meiners, Tilley, Quinn (7), McGhee and Bearden, relating to state contracts for services.

HB 976, introduced by Representatives Silvey, Portwood, Lembke, Nieves, Jones (89), Talboy, Schoeller, Nance, Wildberger, Holsman, Lowe (44), Walsh and Frame, relating to the Missouri consolidated health care plan.

HB 977, introduced by Representatives Silvey, Lembke, Talboy, Portwood, Nieves, Muschany, Dixon, Schoeller, Nance and Schneider, relating to sales taxes affecting certain taxing districts.

HB 978, introduced by Representative Parson, relating to licensing home inspectors.

HB 979, introduced by Representative St. Onge, relating to license plates.

HB 980, introduced by Representatives Harris (23), LeVota, Meadows, Roorda, Darrough, Hodges, Schoemehl, Lampe and Witte, relating to post-arrest release.

HB 981, introduced by Representative Harris (23), relating to the crime of enticement of a child.

HB 982, introduced by Representative Harris (23), relating to enhanced penalties for high blood alcohol content.

HB 983, introduced by Representatives Harris (23), LeVota, Meadows, Wildberger, Roorda, Darrough, Hodges, Lampe and Witte, relating to Karra's law.

HB 984, introduced by Representatives Harris (23), LeVota, Page, Roorda, Darrough, Hodges and Lampe, relating to impounding vehicles.

HB 985, introduced by Representative Harris (23), relating to the rights of crime victims.

HB 986, introduced by Representatives Harris (23), LeVota, Meadows, Roorda, Darrough, Meiners, Hodges, Wright-Jones, Lampe and Witte, relating to crime victim's right to take leave from employment to attend a criminal proceeding.

HB 987, introduced by Representative Wasson, relating to real estate appraisers.

HB 988, introduced by Representatives Brandom and Tilley, relating to professional licensing of nurses.

HB 989, introduced by Representatives Davis, Wallace, Oxford, Casey, Meadows, Kratky, Walsh, Moore, Dougherty, Stevenson, Zimmerman, Bruns and Schaaf, relating to unsecured loans.

HB 990, introduced by Representatives Davis, Funderburk, Sander, Wood, Onder, McGhee, Nieves, Emery, Faith, Stevenson, Bruns, Moore, Smith (14), Schaaf and Sater, relating to abortion.

HB 991, introduced by Representatives Jetton, Bearden, Dempsey, Nieves, St. Onge, Muschany, Portwood, Scharnhorst, Icet, Stevenson, May, Onder, Moore, Richard, Bivins, Pearce, Hobbs, Stream, Hoskins, Hubbard, El-Amin, Grill, Page, Zimmerman, Kratky, Wright-Jones, Corcoran, Spreng, Johnson, Cunningham (86), LeVota, Rucker, Storch, Lembke, Young, Meiners and Villa, relating to the distressed areas land assemblage tax credit act.

The following member's presence was noted: Hughes.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 27, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 7.

Review Departments of Agriculture, Natural Resources, and Conservation budgets. CANCELLED

APPROPRIATIONS - EDUCATION

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 3.

Presentation from Higher Education Institutions.

Committee discussion possible on budget decision items.

Executive session may follow.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 3.

Department of Revenue (continued if needed), Governor, Lt. Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, and General Assembly. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 3.
Judiciary, Public Defender, and the General Assembly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 27, 2007, 2:00 p.m. Hearing Room 5.
Continuation of budget review for the Department of Social Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 3.
Department of Social Services budget review.
Committee will reconvene thirty (30) minutes after adjournment. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 3.
Discussion on amendments and Committee report for
the Departments of Public Safety, and Corrections.
Possible Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 27, 2007, 5:00 p.m. Hearing Room 1.
Budget recommendations for Economic Development, Labor and Industrial Relations,
Insurance, and Transportation (if necessary).
Discuss Committee report.
Executive session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 6.
Discuss Committee report.
Executive session may be included.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 4.
Possible Executive session.
Public hearings to be held on: HB 628, HB 680

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, February 27, 2007, 5:00 p.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HB 754, HB 820

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 136, HB 177, HB 739, HB 770

ELECTIONS

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 158, HB 502, HB 911, HB 894

HEALTH CARE POLICY

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 5. AMENDED

Public hearings to be held on: HB 788, HB 212

HEALTH CARE POLICY

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 5. AMENDED

Executive session will be held on: HB 182, HB 203, HB 212, HB 554, HB 555, HB 788

HIGHER EDUCATION

Tuesday, February 27, 2007, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 181, HB 213

JOINT COMMITTEE ON EDUCATION

Tuesday, February 27, 2007, 2:00 p.m. Hearing Room 1.

Presentation by Missouri Chamber of Commerce on METS.

JOINT COMMITTEE ON GAMING AND WAGERING

Tuesday, February 27, 2007, 8:00 a.m. Senate Lounge.

Tentative agenda. Discussion and testimony on what effects \$500 loss limit would have on the gaming in Missouri.

Update on the status of Aster in Caruthersville under State management.

JUDICIARY

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 408, HB 546, HB 714

LOCAL GOVERNMENT

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 6.

Executive session immediately following hearing. AMENDED

Public hearings to be held on: HB 340, HB 480, HB 595, HB 919

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session. AMENDED

Public hearing to be held on: HB 748

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, February 27, 2007, Hearing Room 2 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 673, HB 637, HB 452

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Thursday, March 1, 2007, Hearing Room 5 upon morning adjournment.

Joint hearing with Special Committee on Utilities.

Testimony will include forecasted electricity demands, generation methods, and energy conservation. NO PUBLIC TESTIMONY.

Executive session may follow.

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 224, HB 493

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, February 28, 2007, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HJR 19, HJR 12, HB 578, HB 547

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, February 27, 2007, 5:00 p.m. Hearing Room 5.

Informational meeting with the Department of Insurance, industry representatives and insurance agents.

Executive session may follow.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 795

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 194, HB 722, HB 679

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 412

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Tuesday, February 27, 2007, 2:00 p.m. Hearing Room 1.

Presentation by Missouri Chamber of Commerce on METS in conjunction with the Joint Committee on Education and the Senate Committee on Education.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCR 24, HB 771, HB 807

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 87, HCS HB 215

SPECIAL COMMITTEE ON TOURISM

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 910

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, February 27, 2007, 5:00 p.m.

Lincoln University, Ballroom, Scruggs University Center,
819 Chestnut Street, Jefferson City, MO.

Public hearing to be held on: HCR 26

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, February 28, 2007, North Gallery upon morning adjournment.

Executive session.

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 5.

Public hearing to be held on: SS SCS SB 284

Executive session will be held on: HB 429

SPECIAL COMMITTEE ON UTILITIES

Thursday, March 1, 2007, Hearing Room 5 upon morning adjournment.

Joint hearing with Special Committee on Energy and Environment.

Testimony will include forecasted electricity demands, generation methods,
and energy conservation. NO PUBLIC TESTIMONY.

Executive session may follow.

SPECIAL COMMITTEE ON VETERANS

Tuesday, February 27, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Brief informational presentation from Veterans Commission about financial condition of the Veterans' Homes.

Public hearings to be held on: HB 654, HB 892

TRANSPORTATION

Tuesday, February 27, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 56, HB 514, HB 573, HB 574, HB 596, HB 744

WAYS AND MEANS

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 1.

Executive session.

HOUSE CALENDAR

THIRTY-FIRST DAY, TUESDAY, FEBRUARY 27, 2007

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 24 and HJR 25

HOUSE BILLS FOR SECOND READING

HB 969 through HB 991

HOUSE BILLS FOR PERFECTION

- | | | |
|----|--------------------------------|--------------------------------|
| 1 | HB 263 - Nieves | |
| 2 | HCS HBs 636, 308 & 173 - Kraus | |
| 3 | HB 269 - Nolte | |
| 4 | HB 46 - Viebrock | |
| 5 | HB 808 - Bearden | (3 hours debate on Perfection) |
| 6 | HCS HB 346 - Munzlinger | |
| 7 | HCS HB 620 - Muschany | |
| 8 | HB 625 - Dempsey | |
| 9 | HB 488 - Wasson | |
| 10 | HCS HB 221 - Yates | |
| 11 | HCS HB 61 - Ruestman | |
| 12 | HCS HB 458 - Sutherland | |
| 13 | HCS HB 74 - Wilson (119) | |

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 262 - Nieves
- 2 HCS HB 369 - Fisher

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/21/07)

- 1 HB 69 - Day
- 2 HCS HB 272 - Viebrock
- 3 HB 319 - Villa
- 4 HB 344 - Munzlinger
- 5 HB 351 - Wood
- 6 HB 576 - Cooper (120)

(2/22/07)

- 1 HB 264 - Cunningham (86)
- 2 HCS HB 459 - Sutherland
- 3 HCS HB 678 - Marsh

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 7 - Nieves

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 70 - Day
- 2 HB 205 - Marsh

HOUSE CONCURRENT RESOLUTION

HCR 15, (2-15-07, Page 396) - Threlkeld

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-FIRST DAY, TUESDAY, FEBRUARY 27, 2007

The House met pursuant to adjournment.

Representative Dixon in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray.

Blessed are You, Lord, God of all creation,
Whose goodness fills our hearts with joy.

Blessed are You,
Who have brought us together again this day
To work in harmony and peace.

As God of all creation,
You have provided the goods of the earth
for all the people of the earth.

Help us to do our work of distributive justice,
So that the basic needs of all the people are met.
Strengthen us with Your grace and wisdom
For You are God forever and ever.
Amen.

(Adapted from BOOK OF BLESSINGS)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alison Rains, Colton Gerke, Jacob Roberts, Kiley Williams, Kristen Elizabeth Kimble, Nicholas Aaron Kimble, Joe Strehl and Sean Strehl.

The Journal of the thirtieth day was approved as printed.

SPECIAL RECOGNITION

Georgia Headrick and Martha Dawson, twin granddaughters of former Representative William Job, were introduced by Representative Thomson and presented a resolution commemorating their 90th birthday.

HOUSE RESOLUTION

Representative Bruns offered House Resolution No. 810.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 782 through House Resolution No. 809

House Resolution No. 811 through House Resolution No. 830

HOUSE CONCURRENT RESOLUTION

Representative Dempsey offered House Concurrent Resolution No. 35.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 24 and **HJR 25** were read the second time.

SECOND READING OF HOUSE BILLS

HB 969 through **HB 991** were read the second time.

Speaker Pro Tem Bearden assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HBs 636, 308 & 173, relating to a credit for military retirement, was taken up by Representative Kraus.

Representative LeVota offered **House Amendment No. 1**.

Representative Yates raised a point of order that **House Amendment No. 1** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Zweifel offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 636, 308 & 173, Section 135.631, Page 1, Line 11, by deleting the words, "is claimed. The" and inserting in lieu thereof the words, "**is claimed. If the**"; and

Further amend said bill, Section 135.631, Pages 1 to 2, Lines 12 to 15, by deleting all of said lines, and inserting in lieu thereof the following words, "**amount of the tax credit exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall be refunded to the taxpayer. No tax credit granted under this section shall be transferred, sold, or assigned.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Yates offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 636, 308 & 173, Section 135.631, Page 1, Line 11, by deleting the words, "is claimed. The" and inserting in lieu thereof the words, "**is claimed. If the**"; and

Further amend said bill, Section 135.631, Pages 1 to 2, Lines 12 to 15, by deleting all of said lines, and inserting in lieu thereof the following words, "**amount of the tax credit exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall be refunded to taxpayers with an income not exceeding 100% of the federal poverty level. No tax credit granted under this section shall be transferred, sold, or assigned.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Committee Substitute for House Bill Nos. 636, 308 & 173, Section 135.631, Page 1, Line 8, by deleting the word, "100%" and inserting in lieu thereof the word, "**150%**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

On motion of Representative Yates, **House Substitute Amendment No. 1 for House Amendment No. 2, as amended**, was adopted.

On motion of Representative Kraus, **HCS HBs 636, 308 & 173, as amended**, was adopted.

On motion of Representative Kraus, **HCS HBs 636, 308 & 173, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 7, relating to the language of official proceedings, was taken up by Representative Nieves.

On motion of Representative Nieves, **HJR 7** was read the third time and passed by the following vote:

AYES: 124

Aull	Baker 123	Bearden	Bivins	Brandom
Bringer	Bruns	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fallert	Fisher	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Zweifel	Mr Speaker	

NOES: 028

Burnett	Chappelle-Nadal	Corcoran	Darrough	Daus
El-Amin	Fares	Flook	George	Haywood
Hoskins	Hubbard	Hughes	Johnson	LeVota
Low 39	Lowe 44	Oxford	Schoemehl	Talboy
Villa	Vogt	Walsh	Whorton	Wright-Jones
Yaeger	Young	Zimmerman		

PRESENT: 001

Nasheed

ABSENT WITH LEAVE: 010

Avery	Baker 25	Bland	Bowman	Brown 30
Brown 50	Curls	Dougherty	Richard	Stevenson

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 620, relating to teacher certification and mentoring, was taken up by Representative Muschany.

HCS HB 620 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 40, 116 & 367 - Fiscal Review (Fiscal Note)

HB 584 - Judiciary

HB 697 - Judiciary

HB 987 - Special Committee on Professional Registration and Licensing

HB 988 - Special Committee on Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 693**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Immigration, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 851**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 889**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on State Parks and Waterways, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HB 75**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 111**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 65**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 65

WHEREAS, the Missouri House of Representative has a long tradition of recognizing and honoring their staff and employees for the service they provide to the members of the Missouri House;

WHEREAS, the services of the staff and employees of the various joint committees of the Missouri General Assembly provided to the Missouri House of Representatives assist the members and compliment the services provided by House staff and employees; and

WHEREAS, while the staff and employees of the various joint committees of the Missouri General Assembly are not considered employees of the Missouri House, the House should recognize the contributions and achievements of the staff and employees of the joint committees of the Missouri General Assembly;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-fourth General Assembly, hereby include the staff and employees of the various joint committees of the Missouri General Assembly when recognizing and honoring House staff and employees for their contributions and achievements.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, Truman Medical Centers is Western Missouri's safety net hospital system. The Truman Medical Center System is comprised of Truman Medical Center Hospital Hill, Truman Medical Center Lakewood, and Truman Medical Center Behavioral Health; and

WHEREAS, with three out of four of Truman Medical Center patients being uninsured or Medicaid-eligible, Truman Medical Center is the health care home for many of the underinsured in the Kansas City area; and

WHEREAS, Truman Medical Center is particularly concerned about proposed regulations from the federal Centers for Medicare and Medicaid Services that would narrow the definition of "public" so that many current public hospitals, including Truman Medical Center, would no longer qualify as public for purposes of providing the local match required to obtain federal Medicaid funds. Initial estimates of the impact to Truman Medical Center is that it would exceed \$37 million in lost Medicaid funding; and

WHEREAS, Truman Medical Center's exclusion as a public institution would occur despite the fact that Truman Medical Center operates the hospitals of the City of Kansas City, Missouri, and Jackson County, Missouri. Truman Medical Center continues to shoulder public duties such as indigent healthcare and jail clinics; and

WHEREAS, both Truman Medical Center hospitals serve as primary teaching institutions for the residents and undergraduate medical students of the University of Missouri-Kansas City School of Medicine; and

WHEREAS, the Centers for Medicare and Medicaid Services has previously explicitly recognized Truman Medical Center's governmental status; and

WHEREAS, the proposed rules would arbitrarily remove Truman Medical Center from its status as a government owned or operated hospital:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Centers for Medicare and Medicaid Services to withdraw the portion of the proposed rules that would change the status of Truman Medical Center as a government owned or operated hospital; and

BE IT FURTHER RESOLVED that the General Assembly requests that the Missouri Congressional delegation ask the Centers for Medicare and Medicaid Services to withdraw this rule and further requests the Missouri Congressional delegation to diligently work to assure that this rule does not take effect; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Leslie V. Norwalk, Acting Administrator of the Centers for Medicare and Medicaid Services and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 135**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 220**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 255**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 405**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 527**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 608**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 665**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 732**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 992, introduced by Representatives Fallert, Harris (110), Komo, Roorda, Meadows, Casey and Frame, relating to the designation of a memorial highway.

HB 993, introduced by Representatives Pratt and Pearce, relating to computer spyware.

HB 994, introduced by Representative Nasheed, relating to transitional school districts.

HB 995, introduced by Representatives Hobbs, Pearce, Richard, Munzlinger, Wasson, Self, Dempsey, Kratky, Bruns, Quinn (7), Parson and Jones (117), relating to regional economic development initiatives.

HB 996, introduced by Representatives Hobbs, Richard, Pearce, Dempsey, Kratky and Bruns, relating to the Missouri training and employment council.

HB 997, introduced by Representatives Zimmerman, Wildberger, Whorton, Kuessner, Hughes, Corcoran, Burnett, Grill, Skaggs, Darrough, Swinger, Haywood, Norr and Frame, relating to telemarketing.

HB 998, introduced by Representative Yates, relating to the regulation of title insurance.

HB 999, introduced by Representatives Donnelly, Page, LeVota, Yaeger, Darrough, Bringer and Witte, relating to chemical blood alcohol tests.

HB 1000, introduced by Representative Storch, relating to an income tax exemption for corporations.

HB 1001, introduced by Representatives Bruns and Wildberger, relating to civil damages for injury to or death of law enforcement officers and firefighters.

HB 1002, introduced by Representative Fisher, relating to Missouri qualified biodiesel producers.

COMMUNICATION

February 27, 2007

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I have been appointed to the Board of Directors of Physicians Professional Indemnity Association (PPIA). This entity was formed under the authority of Chapter 383, RSMo, which includes statutes that may come before the Legislature for revision.

In order to comply with Chapters 105.452 to 105.461, please publish this report in the Journal of the House.

Sincerely,

/s/ Kevin Threlkeld

The following members' presence was noted: Curls, Richard and Stevenson.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, February 28, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 7.

Review Departments of Agriculture, Natural Resources, and Conservation budgets. CANCELLED

APPROPRIATIONS - EDUCATION

Thursday, March 1, 2007, Hearing Room 1, forty-five (45) minutes following adjournment.

Committee discussion on budget decision items.

Executive session may follow.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 3.

Judiciary, Public Defender, and the General Assembly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 3.

Department of Social Services budget review.

Committee will reconvene thirty (30) minutes after adjournment. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, March 5, 2007, 9:00 a.m. Hearing Room 5.

Final Committee discussion on budget presentations and requests from 9:00 a.m. - 11:00 a.m.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 3.

Discussion on amendments and committee report for the
Departments of Public Safety, and Corrections.

Possible Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 6.

Discuss Committee report.

Executive session may be included.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 628, HB 680

HEALTH CARE POLICY

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 5. AMENDED

Executive session will be held on: HB 182, HB 203, HB 212, HB 554, HB 555, HB 788

INSURANCE POLICY

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 6.

Executive session.

JUDICIARY

Thursday, March 1, 2007, 9:30 a.m. South Gallery.

Executive session.

RULES

Wednesday, February 28, 2007, 9:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 30, HR 433

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, February 28, 2007, 9:00 a.m. Hearing Room 7.

Public hearings to be held on: HB 155, HCS HB 426, HCS HB 215, HB 125,
HB 166, HCS HB 774, HCS HB 669, HCS HB 131

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Thursday, March 1, 2007, Hearing Room 5 upon morning adjournment.

Joint hearing with Special Committee on Utilities.

Testimony will include forecasted electricity demands, generation methods, and energy conservation. NO PUBLIC TESTIMONY.

Executive session may follow

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 224, HB 493

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, February 28, 2007, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HJR 19, HJR 12, HB 578, HB 547

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, March 1, 2007, Hearing Room 7, thirty (30) minutes after adjournment.

Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, February 28, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 85

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 795

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 497, HB 677, HB 953, HB 209

SPECIAL COMMITTEE ON RETIREMENT

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 661, HB 875, HB 746

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 688, HB 725

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, February 28, 2007, 5:00 p.m. Hearing Room 1.

Committee will go into Executive session. AMENDED

Public hearings to be held on: HB 796, HB 686

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 412

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 28, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCR 24, HB 771, HB 807

SPECIAL COMMITTEE ON TOURISM

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 910

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, February 28, 2007, North Gallery upon morning adjournment.

Executive session.

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 5.

Public hearing to be held on: SS SCS SB 284

Executive session will be held on: HB 429

SPECIAL COMMITTEE ON UTILITIES

Thursday, March 1, 2007, Hearing Room 5 upon morning adjournment.

Joint hearing with Special Committee on Energy and Environment.

Testimony will include forecasted electricity demands, generation methods, and energy conservation. NO PUBLIC TESTIMONY.

Executive session may follow

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 28, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 439

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SCS SB 339

WAYS AND MEANS

Wednesday, February 28, 2007, 2:00 p.m. Hearing Room 1.

Executive session.

HOUSE CALENDAR

THIRTY-SECOND DAY, WEDNESDAY, FEBRUARY 28, 2007

HOUSE BILLS FOR SECOND READING

HB 992 through HB 1002

HOUSE BILLS FOR PERFECTION

- | | | |
|----|--------------------------|--------------------------------|
| 1 | HB 263 - Nieves | |
| 2 | HB 269 - Nolte | |
| 3 | HB 46 - Viebrock | |
| 4 | HB 808 - Bearden | (3 hours debate on Perfection) |
| 5 | HCS HB 346 - Munzlinger | |
| 6 | HCS HB 620 - Muschany | |
| 7 | HB 625 - Dempsey | |
| 8 | HB 488 - Wasson | |
| 9 | HCS HB 221 - Yates | |
| 10 | HCS HB 61 - Ruestman | |
| 11 | HCS HB 458 - Sutherland | |
| 12 | HCS HB 74 - Wilson (119) | |
| 13 | HB 220 - Stevenson | |
| 14 | HB 255 - Bruns | |
| 15 | HB 526 - Pratt | |
| 16 | HB 527 - Cooper (120) | |
| 17 | HB 665 - Ervin | |

HOUSE BILLS FOR PERFECTION - INFORMAL

- | | |
|---|---------------------|
| 1 | HB 262 - Nieves |
| 2 | HCS HB 369 - Fisher |

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/21/07)

- 1 HB 69 - Day
- 2 HCS HB 272 - Viebrock
- 3 HB 319 - Villa
- 4 HB 344 - Munzlinger
- 5 HB 351 - Wood
- 6 HB 576 - Cooper (120)

(2/22/07)

- 1 HB 264 - Cunningham (86)
- 2 HCS HB 459 - Sutherland
- 3 HCS HB 678 - Marsh

(2/28/07)

- 1 HCS HB 135 - Day
- 2 HCS HB 405 - Moore
- 3 HCS HB 608 - Day
- 4 HB 732 - Parson

HOUSE BILL FOR THIRD READING

HCS HB 40, 116 & 367, (Fiscal Review 2-27-07) - Portwood

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 70 - Day
- 2 HB 205 - Marsh

HOUSE CONCURRENT RESOLUTION

HCR 15, (2-15-07, Page 396) - Threlkeld

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-SECOND DAY, WEDNESDAY, FEBRUARY 28, 2007

The House met pursuant to adjournment.

Representative Cooper (120) in the Chair.

Prayer by Reverend James Earl Jackson.

O God, You are wise and powerful! We praise You for ever and ever. You control the times and the seasons; You make and unmake authorities.

It is You who give us wisdom and understanding; You who reveal things that are deep and secret. You know what is hidden in darkness and You Yourself are surrounded by light.

We praise and honor You, God of all creation. You have given us wisdom and strength; You have answered our prayer and shown us how to execute Your plan on behalf of this state.

Now may the grace of our Lord rest and abide with us all as we navigate the multiple responsibilities we encounter this week.

For it's in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jennifer Thomas, Michael P. Klussman, Lauren Pollock, Laura Close, Kyle Bush, Trey Marlette, Brian Pohl, Phoebe Harris, Holland Windsor, Wyatt Ross, Chelsea Penfield, Alyssa Simmons, Faith Smith, Amanda McCollum, Cheyenne Miller, Nicholle Hinkle, Lori Cruse, Chelsea Pense, Michelle Wisdom, Jason Burris, Josh Miller, Curt White, Michelle Stanley and Tiffany Young.

The Journal of the thirty-first day was approved as printed.

SPECIAL RECOGNITION

Darryl Johnson, Smithville High School, was introduced by Representatives Ervin and Thomson and recognized as the 2006-2007 Missouri Teacher of the Year.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 831 through House Resolution No. 844

HOUSE CONCURRENT RESOLUTION

Representative Meadows, et al., offered House Concurrent Resolution No. 36.

SECOND READING OF HOUSE BILLS

HB 992 through **HB 1002** were read the second time.

PERFECTION OF HOUSE BILL

HB 269, relating to college admission of illegal aliens, was taken up by Representative Nolte.

Representative Wildberger offered **House Amendment No. 1**.

Representative Pratt raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Flook offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 269, Page 2, Section 172.360, Line 13, by inserting after all of said line the following:

"173.1200. 1. A student with permanent residency status may be admitted at any public institution of higher education in this state, provided the student meets the entrance standards of such institution. Students who satisfy the institution's requirements for establishing state residency shall be eligible for in-state tuition.

2. An immigrant who resides in Missouri and has a pending application for permanent residency status may be admitted at a public institution of higher education on a provisional basis and attend classes so long as the person otherwise meets the entrance requirements of such institution. Such provisional student shall be eligible for in-state tuition so long as the student otherwise meets the institution's requirements for establishing state residency. If a student's application for authorized status is denied or dismissed, and the student's status is unauthorized, the student shall be required to terminate attendance at the close of that semester."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Salva offered **House Amendment No. 1 to House Amendment No. 2**.

Representative Pratt raised a point of order that **House Amendment No. 1 to House Amendment No. 2** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Wildberger offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 269, Section 173.1200, Page 1, Line 3, by inserting "**pursuant to federal law**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wildberger, **House Amendment No. 2 to House Amendment No. 2** was adopted.

Representative Flook moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated.

Representative Talboy offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 269, Pages 1 and 2, Section 172.360, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the following:

"annually certify to the coordinating board for higher education that its campus has not knowingly admitted"; and

Further amend said bill, Page 2, Section 174.130, Lines 6 and 7, by deleting all of said lines and inserting in lieu thereof the following:

"the coordinating board for higher education that its university or college has not knowingly"; and

Further amend said bill, Page 2, Section 174.025, Lines 5 and 6, by deleting all of said lines and inserting in lieu thereof the following:

"university, the registrar shall annually certify to the coordinating board for higher education that the"; and

Further amend said bill, Pages 2 and 3, Section 178.635, Lines 18 and 19, by deleting all of said lines and inserting in lieu thereof the following:

"Technical College, the registrar shall annually certify to the coordinating board for higher education"; and

Further amend said bill, Page 3, Section 178.785, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"junior college, the registrar for the college shall annually certify to the coordinating board for higher education that its junior college has not knowingly admitted any aliens"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Talboy moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Nolte, **HB 269** was ordered perfected and printed by the following vote:

AYES: 122

Aull	Baker 123	Bearden	Bland	Brandom
Bringer	Bruns	Casey	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Hoskins	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Zweifel	Mr Speaker			

NOES: 035

Baker 25	Brown 50	Burnett	Chappelle-Nadal	Curls
Daus	Donnelly	Dougherty	El-Amin	George
Haywood	Holsman	Hubbard	Hughes	Johnson
LeVota	Low 39	Lowe 44	Nasheed	Oxford
Rucker	Schoemehl	Skaggs	Storch	Talboy
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Wright-Jones	Yaeger	Young	Zimmerman

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 005

Avery	Bivins	Bowman	Brown 30	Lembke
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REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 636, 308 & 173 - Fiscal Review (Fiscal Note)
HB 869 - Special Committee on Energy and Environment
HB 932 - Special Committee on Tax Reform
HB 933 - Special Committee on Veterans

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 680**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 62**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 268**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 338**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 467**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 754**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 820**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 42**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 579**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 182**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 213**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 448**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 795**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 24

WHEREAS, the federal No Child Left Behind (NCLB) Act requires states to assess all students in their state's assessment program; and

WHEREAS, the Act provides for a limited number of students with disabilities to be assessed with an alternate assessment, but only 1% of a school district's tested population may be counted as proficient or above using the alternate assessment; and

WHEREAS, this limitation results in some special needs students being included in the regular state assessment system when, in fact, their cognitive disabilities are such that they should not be assessed with their age or grade-level peers; and

WHEREAS, a more appropriate assessment for them might be a test that was developed for use in some grade-level below the grade in which they are classified, but the United States Department of Education regulations governing the implementation of the NCLB Act prohibit this "out of grade-level" testing; and

WHEREAS, the United States Department of Education has recently allowed for the inclusion of an additional 2% of students with disabilities to be assessed with a modified grade-level assessment, but this additional flexibility still prohibits "out of grade-level" testing; and

WHEREAS, the Individuals with Disabilities Education Improvement Act (IDEA), which predates the NCLB Act, contains requirements for assessment that must be included in the student's individualized educational program (IEP), which may not meet the requirements of the NCLB Act for assessment and thus may place the IEP team at odds with the overall NCLB assessment process and may create confusion for parents; and

WHEREAS, certain accommodations written into an IEP, such as reading out loud or paraphrasing, are currently not acceptable for certain assessments under NCLB procedures, thus making the student's performance on the assessment not count for NCLB purposes and denying the student an accommodation that the IEP team has documented as necessary to the child's best chances for a proficient performance; and

WHEREAS, Secretary Margaret Spellings has shown an admirable flexibility in permitting experimentation with alternative approaches to the NCLB Act while keeping the focus on accountability:

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, that the interests of the special needs students of the state would best be served by reviewing the assessment provisions of IDEA and the NCLB Act together to eliminate contradictory objectives, so that accommodations that are appropriate to a student with an IEP do not invalidate the student's assessment results for the purposes of No Child Left Behind assessments; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Margaret Spellings, Secretary of the United States Department of Education and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 771**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 827**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tourism, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 910**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 744**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 364**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 433**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 433

WHEREAS, American eighth grade students rank 15th in an international study of math achievement. By the time they graduate high school, they score near the bottom of all industrialized nations; and

WHEREAS, while American students are falling behind, students in countries like China and India are excelling. In just five years, it is estimated that 90% of the world's engineers and scientists will come from Asia; and

WHEREAS, over the past 30 years the math and science scores of American students have remained flat while the scores of students in other industrialized countries have soared; and

WHEREAS, many jobs are leaving the United States, not simply because the workforce is cheaper, but also because countries like China and India have employees better educated in math and science; and

WHEREAS, the United States Department of Labor predicts that over the ten-year period ending in 2008, jobs requiring science, engineering, and technical training will increase by 51%, a rate four times faster than overall job growth. Yet only 5% of the college students in the United States today major in engineering, a trend that has gone down over the past 15 years. By the end of 2008, it is predicted that some 6 million jobs requiring math and science skills will go unfilled simply because American youth won't be qualified to hold them; and

WHEREAS, in 2006, Governor Matt Blunt hosted a math and science summit that brought together leaders from education, business, government, and communities across the state. The purpose was to raise awareness and to recognize the challenges that Missouri will face in the coming years if more students are not fully prepared for careers that require knowledge and skills in mathematics, engineering, technology, and science (the METS fields); and

WHEREAS, at the 2006 summit, Governor Blunt stated his commitment to enhancing Missouri's success in global competition by expanding the METS skills of the State's current and future workforce, increasing public awareness of this critical issue, supporting initiatives that will move Missouri forward, and increasing Missouri's involvement in developing new knowledge and translating it into world-class products and services; and

WHEREAS, Governor Blunt declared October 3, 2006, "Science Day" in Missouri along with a number of mayors throughout the State. Science Day is important because American innovation depends upon a strong foundation in the sciences. Science day aims to bring attention to this problem and encourage action among parents, teachers, and community members:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-fourth General Assembly, hereby recognize October 3, 2007, as "Science Day" in Missouri and recommend that it be observed by the citizens of the State of Missouri with appropriate activities in the public schools and otherwise to promote public awareness of the importance of a strong foundation in the sciences.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, there are 45 global or U.S. headquarters and over 120 companies involved in the animal health industry including four of the 10 largest global animal health companies and one of the five largest animal nutrition companies located in Missouri and Kansas; and

WHEREAS, leading veterinary colleges and animal research centers are located in Missouri and Kansas including the University of Missouri College of Veterinary Medicine, the University of Missouri's \$60 million Life Sciences Center and Swine Research Center, the Kansas State University College of Veterinary Medicine, and the Kansas State University's \$54 million Biosecurity Research Institute; and

WHEREAS, Missouri is 7th and Kansas is 2nd in cattle and calf inventory in the United States; and

WHEREAS, there are nationally-recognized publishers within the animal health industry located in Missouri and Kansas; and

WHEREAS, Missouri and Kansas have historical roots in the livestock industry and are home to many prominent national and international associations within the animal health industry; and

WHEREAS, retaining and growing existing animal health companies, attracting new animal health companies, increasing animal health research capacity, and developing commercialization infrastructure will create quality jobs and wealth for the states of Missouri and Kansas:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-Fourth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize the region from Manhattan, Kansas, to Columbia, Missouri, including the metropolitan Kansas City area and St. Joseph, Missouri, as the "KC Animal Health Corridor"; and

BE IT FURTHER RESOLVED that the Missouri General Assembly recognizes the KC Animal Health Corridor as the national center of the animal health industry based on the unmatched concentration of animal health and nutrition businesses, and educational, and research assets; and

BE IT FURTHER RESOLVED that the Missouri General Assembly resolves to establish a favorable business environment and support animal health research to foster the continued growth of the animal health industry for the benefit of the economy, universities, businesses, and young people hoping to pursue an animal health career in the KC Animal Health Corridor; and

BE IT FURTHER RESOLVED that the chief clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Governors of Missouri and Kansas.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 125**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 131**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 155**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 166**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 215**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 426**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 669**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 774**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 69, HCS HB 272, HB 319, HB 344, HB 351 and HB 576**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1003, introduced by Representative Chappelle-Nadal, relating to employment practices.

HB 1004, introduced by Representatives Chappelle-Nadal, Hubbard, El-Amin, Walsh and Nasheed, relating to automobile insurance.

HB 1005, introduced by Representative Chappelle-Nadal, relating to eligibility for medical assistance.

HB 1006, introduced by Representatives Moore, Walton, Rucker, Deeken and Bruns, relating to the Missouri consolidated health care plan.

HB 1007, introduced by Representative Cunningham (86), relating to ethics complaints.

HB 1008, introduced by Representative Onder, relating to the federal income tax deduction.

HB 1009, introduced by Representative Pratt, relating to the regional investment district compact.

HB 1010, introduced by Representatives Guest, Wells, Munzlinger and Hobbs, relating to the operation of mini-trucks.

HB 1011, introduced by Representative Sutherland, relating to public finance.

HB 1012, introduced by Representatives Roorda, Bruns, Fallert, Schieffer, Nance, Komo, Jones (117), Lipke, Meadows, Darrough, Scharnhorst, Casey, Parson, Tilley, Holsman, Lampe and George, relating to the law enforcement safety fund.

HB 1013, introduced by Representatives Lembke, Walton and Oxford, relating to the regional taxicab commission.

HB 1014, introduced by Representatives Wright, Fisher, Day, Stream, Kraus, Yates, Pearce, Kuessner, Witte and Jetton, relating to state purchasing.

HB 1015, introduced by Representatives Aull, Shively, Bowman, Meiners, Hodges, Kuessner, Schoemehl, Darrough, Holsman, Lampe, Harris (110), Corcoran, Frame, Swinger, Meadows, Quinn (9), Scavuzzo, Todd, Casey, Wildberger, Whorton and Baker (25), relating to state aid for schools.

HB 1016, introduced by Representatives Deeken, Moore, Cunningham (145), McGhee, Aull, Talboy, Walsh, Sander, Tilley, Corcoran, Haywood, Robinson, Jones (117), Cooper (158), Kingery, Lembke, Wells, Fisher, Bruns, Witte, Harris (110) and Guest, relating to overtime for state employees.

HB 1017, introduced by Representatives Oxford, Low (39), Daus, Walsh, Hubbard, Bowman, Bland, Chappelle-Nadal, Lowe (44), Haywood, Talboy, Nasheed, Curls, Brown (50), George, Villa, Hughes, Johnson, Vogt, Hoskins, El-Amin and Wright-Jones, relating to individual income tax.

HB 1018, introduced by Representatives Wright-Jones, Chappelle-Nadal, Donnelly, Zimmerman, Hughes, Haywood, Jones (117), Lampe, Dougherty, Talboy, Baker (25), Page, Curls, Low (39), LeVota, Storch, Oxford, Johnson, Harris (23), Norr, Hoskins, Lowe (44), Zweifel, Bowman, Nasheed, Walton, Vogt, Young, McClanahan, Frame, Corcoran, Darrough, Bland, Holsman, Meiners, Daus, Wildberger, Komo, Burnett, Brown (50), George, El-Amin and Aull, relating to reducing the number of abortions in the state through the prevention first act.

HB 1019, introduced by Representatives Baker (25), Fallert, Donnelly, LeVota, Chappelle-Nadal, Storch, Lowe (44), Darrough, Kratky, Hughes, Nasheed, Komo, Burnett, Page, Kuessner, Holsman, Swinger, Talboy, Witte, George, McClanahan, Liese, Corcoran, Schieffer, Meiners, Hodges, Frame, Schoemehl, Skaggs, Grill, Harris (23), Low (39), Shively, Salva, Roorda, Bowman, Walton, Norr, Meadows, Lampe, Haywood, Curls, Daus, Rucker, Oxford, Wildberger, Aull, Zweifel, Yaeger, Vogt and Zimmerman, relating to state medical assistance programs.

HB 1020, introduced by Representative Kraus, relating to Internet access service and facilities.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 4**, entitled:

An act to repeal sections 198.439, 208.437, 208.480, and 338.550, RSMo, and to enact in lieu thereof four new sections relating to the health care provider tax, with an emergency clause and an expiration date for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 30**, entitled:

An act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales tax exemption for common motor carriers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 46**, entitled:

An act to amend chapter 660, RSMo, by adding thereto one new section relating to faith-based organizations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 49, 65, 210 & 251**, entitled:

An act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof eight new sections relating to telephonic solicitations, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 79**, entitled:

An act to amend chapter 262, RSMo, by adding thereto one new section relating to the state fair escrow fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 129**, entitled:

An act to repeal sections 226.527 and 226.531, RSMo, and to enact in lieu thereof two new sections relating to the regulation of billboards, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 255, 249 & 279**, entitled:

An act to repeal section 290.505, RSMo, and to enact in lieu thereof one new section relating to overtime compensation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 315**, entitled:

An act to repeal section 537.353, RSMo, and to enact in lieu thereof one new section relating to liability for damage or destruction of field crop products.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Bivins and Lembke.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, March 1, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Thursday, March 1, 2007, Hearing Room 1, forty-five (45) minutes following adjournment.

Committee discussion on budget decision items.

Executive session may follow.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 3.

Department of Social Services budget review.

Committee will reconvene thirty (30) minutes after adjournment. **AMENDED**

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, March 5, 2007, 9:00 a.m. Hearing Room 5.

Final Committee discussion on budget presentations and requests from 9:00 a.m. - 11:00 a.m.

BUDGET

Monday, March 5, 2007, 11:00 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Wednesday, March 7, 2007, 8:15 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Thursday, March 8, 2007, 8:15 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Friday, March 9, 2007, 8:00 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

FISCAL REVIEW

Monday, March 5, 2007, Hearing Room 4 upon evening adjournment.

Any bills that may come to the Fiscal Review Committee.

Public hearing to be held on: HCS HB 40, 116 & 367

JUDICIARY

Thursday, March 1, 2007, 9:30 a.m. South Gallery.

Executive session.

LOCAL GOVERNMENT

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 6.

Executive session may be held.

Public hearings to be held on: HB 43, HB 162, HB 494, HB 603, HB 702, HB 784

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Thursday, March 1, 2007, Hearing Room 5 upon morning adjournment.

Joint hearing with Special Committee on Utilities.

Testimony will include forecasted electricity demands, generation methods, and energy conservation. NO PUBLIC TESTIMONY.

Executive session may follow

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, March 1, 2007, Hearing Room 7, thirty (30) minutes after adjournment.

Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 497, HB 677, HB 953, HB 209

SPECIAL COMMITTEE ON RETIREMENT

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 661, HB 875, HB 746

SPECIAL COMMITTEE ON UTILITIES

Thursday, March 1, 2007, Hearing Room 5 upon morning adjournment.

Joint hearing with Special Committee on Energy and Environment.

Testimony will include forecasted electricity demands, generation methods, and energy conservation. NO PUBLIC TESTIMONY.

Executive session may follow

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, March 1, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SCS SB 339

TRANSPORTATION

Thursday, March 1, 2007,

House Chamber south gallery, forty five (45) minutes after morning adjournment.

Executive session.

HOUSE CALENDAR

THIRTY-THIRD DAY, THURSDAY, MARCH 1, 2007

HOUSE BILLS FOR SECOND READING

HB 1003 through HB 1020

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 21 - Cooper (120)

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 16 - Icet

HOUSE BILLS FOR PERFECTION

- | | | |
|----|---------------------------|--------------------------------|
| 1 | HB 263 - Nieves | |
| 2 | HB 46 - Viebrock | |
| 3 | HB 808 - Bearden | (3 hours debate on Perfection) |
| 4 | HCS HB 346 - Munzlinger | |
| 5 | HCS HB 620 - Muschany | |
| 6 | HB 625 - Dempsey | |
| 7 | HB 488 - Wasson | |
| 8 | HCS HB 221 - Yates | |
| 9 | HCS HB 61 - Ruestman | |
| 10 | HCS HB 458 - Sutherland | |
| 11 | HCS HB 74 - Wilson (119) | |
| 12 | HB 220 - Stevenson | |
| 13 | HB 255 - Bruns | |
| 14 | HB 526 - Pratt | |
| 15 | HB 527 - Cooper (120) | |
| 16 | HB 665 - Ervin | |
| 17 | HB 166 - Hoskins | |
| 18 | HCS HB 774 - Jones (89) | |
| 19 | HCS HB 669 - Pearce | |
| 20 | HB 125 - Franz | |
| 21 | HCS HB 131 - Cooper (120) | |
| 22 | HB 155 - Dusenberg | |
| 23 | HCS HB 426 - Parson | |

HOUSE BILLS FOR PERFECTION - INFORMAL

- | | |
|---|---------------------|
| 1 | HB 262 - Nieves |
| 2 | HCS HB 369 - Fisher |

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/22/07)

- 1 HB 264 - Cunningham (86)
- 2 HCS HB 459 - Sutherland
- 3 HCS HB 678 - Marsh

(2/28/07)

- 1 HCS HB 135 - Day
- 2 HCS HB 405 - Moore
- 3 HCS HB 608 - Day
- 4 HB 732 - Parson

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 40, 116 & 367, (Fiscal Review 2-27-07) - Portwood
- 2 HCS HB 636, 308 & 173, (Fiscal Review 2-28-07) - Kraus
- 3 HB 269 - Nolte

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 70 - Day
- 2 HB 205 - Marsh
- 3 HB 69 - Day
- 4 HCS HB 272 - Viebrock
- 5 HB 319 - Villa
- 6 HB 344 - Munzlinger
- 7 HB 351 - Wood
- 8 HB 576 - Cooper (120)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 4
- 2 SB 30
- 3 SCS SB 46
- 4 SS SCS SBs 49, 65, 210 & 251
- 5 SB 79
- 6 SS#2 SCS SB 129
- 7 SS SCS SBs 255, 249 & 279
- 8 SB 315

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 15, (2-15-07, Page 396) - Threlkeld
- 2 HCR 28, (2-27-07, Pages 438-439) - Walton
- 3 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 4 HCR 17, (2-21-07, Page 437) - Fisher
- 5 HCR 25, (2-27-07, Pages 491-192) - Yates
- 6 HCR 30, (2-28-07) - Pratt

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-THIRD DAY, THURSDAY, MARCH 1, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, we thank You for being with us through Your strength and guidance during our work this week. Be with us in our work today. Inspire us to work with one eye on You, so that all we do that influences human law, may be in harmony with Your divine law.

Lord God, bless us with thinking and seeing wider and farther than our own state to a concern for the whole world. May Your grace prompt us especially to support in any way we can those involved with the war in Iraq. Help us to use our power in any way we can to advance true justice and peace in the world.

We pray to You Almighty God, who lives and reigns forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kayla Buchanan, Dustin Kohler, Colton Ebmeier, Taylor Kittners, Halee Hittler, Alex Zemen, Jacob Sumner, Alison Miller, Laron Crawford, Laneisha Blanchard, Kidada Addison, LaMonica Randle, Myesha Tucker, Madeline LeVota, Audrey LeVota, Hannah Gooding, Rebecca Wood, Aidan Halvorson, Clark Diffey and Amber Fields.

The Journal of the thirty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 845 through House Resolution No. 892

SECOND READING OF HOUSE BILLS

HB 1003 through **HB 1020** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 4, SB 30, SCS SB 46, SS SCS SBs 49, 65, 210 & 251, SB 79, SS#2 SCS SB 129, SS SCS SBs 255, 249 & 279 and **SB 315** were read the second time.

Representative Pratt assumed the Chair.

THIRD READING OF HOUSE BILL

HB 269, relating to college admission of illegal aliens, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 269** was read the third time and passed by the following vote:

AYES: 120

Aull	Baker 123	Bearden	Bivins	Brandom
Bringer	Bruns	Casey	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Zweifel	Mr Speaker

NOES: 035

Baker 25	Bland	Brown 50	Burnett	Chappelle-Nadal
Curls	Daus	Donnelly	Dougherty	El-Amin
George	Haywood	Holsman	Hoskins	Hubbard
Hughes	Johnson	LeVota	Low 39	Lowe 44
Nasheed	Oxford	Schoemehl	Skaggs	Storch
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Yaeger	Young	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bowman	Brown 30	Lembke	Quinn 7
Schlottach	Swinger	Wright-Jones		

Representative Pratt declared the bill passed.

HOUSE CONCURRENT RESOLUTION

HCR 15, relating to chronic obstructive pulmonary disease, was taken up by Representative Threlkeld.

On motion of Representative Threlkeld, **HCR 15** was adopted.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 32 - Special Committee on Retirement
HCR 33 - Special Committee on Immigration

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 96 - Agriculture Policy
HB 160 - Ways and Means
HB 163 - Judiciary
HB 306 - Special Committee on Veterans
HB 315 - Judiciary
HB 316 - Judiciary
HB 363 - Special Committee on Rural Community Development
HB 438 - Higher Education
HB 464 - Local Government
HB 532 - Higher Education
HB 550 - Transportation
HB 567 - Special Committee on General Laws
HB 569 - Special Committee on Health Insurance
HB 571 - Ways and Means
HB 572 - Crime Prevention and Public Safety
HB 582 - Health Care Policy
HB 598 - Special Committee on Workforce Development and Workplace Safety
HB 599 - Judiciary
HB 621 - Special Committee on Tax Reform
HB 624 - Special Committee on Rural Community Development
HB 626 - Special Committee on Retirement
HB 631 - Special Committee on Retirement
HB 646 - Transportation
HB 647 - Conservation and Natural Resources
HB 648 - Judiciary
HB 662 - Ways and Means
HB 684 - Corrections and Public Institutions
HB 685 - Special Committee on Workforce Development and Workplace Safety
HB 689 - Special Committee on Student Achievement

HB 696 - Special Committee on Health Insurance
HB 717 - Special Committee on Veterans
HB 721 - Elections
HB 726 - Crime Prevention and Public Safety
HB 730 - Elementary and Secondary Education
HB 731 - Special Committee on Utilities
HB 736 - Local Government
HB 737 - Local Government
HB 740 - Corrections and Public Institutions
HB 741 - Special Committee on Job Creation and Economic Development
HB 743 - Transportation
HB 745 - Health Care Policy
HB 750 - Ways and Means
HB 756 - Crime Prevention and Public Safety
HB 757 - Judiciary
HB 758 - Special Committee on Job Creation and Economic Development
HB 763 - Judiciary
HB 773 - Special Committee on Workforce Development and Workplace Safety
HB 791 - Special Committee on Health Insurance
HB 794 - Special Committee on Professional Registration and Licensing
HB 800 - Judiciary
HB 803 - Health Care Policy
HB 812 - Elections
HB 818 - Special Committee on Health Insurance
HB 824 - Elementary and Secondary Education
HB 863 - Elections
HB 866 - Transportation
HB 868 - Special Committee on General Laws
HB 870 - Crime Prevention and Public Safety
HB 871 - Special Committee on Veterans
HB 872 - Special Committee on Utilities
HB 876 - Elections
HB 877 - Special Committee on Agri-Business
HB 878 - Health Care Policy
HB 879 - Special Committee on Agri-Business
HB 880 - Conservation and Natural Resources
HB 887 - Special Committee on Government Affairs
HB 891 - Special Committee on Job Creation and Economic Development
HB 899 - Special Committee on Government Affairs
HB 913 - Local Government
HB 920 - Local Government
HB 922 - Elections
HB 934 - Special Committee on Family Services
HB 935 - Special Committee on Family Services
HB 936 - Special Committee on Family Services
HB 937 - Local Government
HB 938 - Special Committee on Veterans

HB 941 - Higher Education
HB 944 - Local Government
HB 958 - Special Committee on Rural Community Development
HB 963 - Crime Prevention and Public Safety
HB 1002 - Special Committee on Agri-Business
HB 1014 - Special Committee on Veterans

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 168 - Special Committee on Tax Reform

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 788**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 546**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 20

Relating to a prohibition on the implementation of the federal REAL ID act.

WHEREAS, in May 2005, the United States Congress enacted the REAL ID Act of 2005 as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act, PL 109-13, which was signed by President Bush on May 11, 2005, and which becomes effective May 11, 2008; and

WHEREAS, some of the requirements of the REAL ID Act are that states shall:

(1) Issue a driver's license or state identification card in a uniform format, containing uniform information, as prescribed by the federal Department of Homeland Security;

(2) Verify the issuance, validity, and completeness of all primary documents used to issue a driver's license, such as those showing that the bearer is a United States citizen or a lawful alien, a lawful refugee, or a person holding a visa;

(3) Provide for secure storage of all primary documents that are used to issue a federally approved driver's license or state identification card;

(4) Provide fraudulent document recognition training to all persons engaged in issuing driver's licenses or state identification cards; and

(5) Issue a driver's license or state identification card in a prescribed format if it is a license or card that does not meet the criteria provided for a federally approved license or identification card; and

WHEREAS, use of the federal minimum standards for state driver's licenses and state-issued identification cards will be necessary for any type of federally regulated activity for which an identification card must be displayed, including flying in a commercial airplane, making transactions with a federally licensed bank, entering a federal building, or making application for federally supported public assistance benefits, including Social Security; and

WHEREAS, some of the intended privacy requirements of the REAL ID Act, such as the use of common machine-readable technology and state maintenance of a database that can be shared with the United States government and agencies of other states, may actually make it more likely that a federally required driver's license or state identification card or the information about the bearer on which the license or card is based will be stolen, sold, or otherwise used for purposes that were never intended or that are criminally related than if the REAL ID Act had not been enacted; and

WHEREAS, these potential breaches in privacy that could result directly from compliance with the REAL ID Act may violate the right to privacy secured in the Missouri Constitution for thousands of residents of Missouri; and

WHEREAS, the American Association of Motor Vehicle Administrators, the National Governors' Association, and the National Conference of State Legislatures have estimated in a September 2006 impact analysis statement that the cost to the states to implement the REAL ID Act will be more than \$11 billion over 5 years, and the Division of Motor Vehicle and Drivers Licensing of the Missouri Department of Revenue has estimated that the implementation of the REAL ID Act will cost Missouri \$2.66 million to fully implement the Act, none of such costs being paid for by the federal government; and

WHEREAS, for all of these reasons, the American Association of Motor Vehicle Administrators, the National Governors' Association, and the National Conference of State Legislatures in a letter dated March 17, 2005, to the majority and minority leaders of the United States Senate opposed the adoption of the REAL ID Act, but the opposition of those groups and the groups' request that Congress rely on driver's license security provisions already passed by Congress in the Intelligence Reform and Terrorism Prevention Act of 2004 was largely ignored by Congress; and

WHEREAS, the regulations that are to be adopted by the federal Department of Homeland Security to implement the requirements of the REAL ID Act have yet to be adopted and, in reality, will probably not become effective until the Spring of 2007, effectively giving the states only one year in which to become familiar with the requirements of the REAL ID Act, the implementation of the regulations, and compliance with such regulations; and

WHEREAS, the mandate to the states through federal legislation that provides no funding for its requirements to issue what is, in effect, a national identification card appears to be an attempt to "commandeer" the political machinery of the states and to require the states to be agents of the federal government, in violation of the principles of federalism contained in the Tenth Amendment to the United States Constitution, as interpreted by the United States Supreme Court in *New York v. United States*, 488 U.S. 1041 (1992), *United States v. Lopez*, 514 U.S. 549 (1995), and *Printz v. United States*, 521 U.S. 898 (1997):

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby refuse to implement the REAL ID Act and thereby protest the treatment by Congress and the President of the United States of the states as agents of the federal government and, by such protest, lead other state legislatures and governors to reject the treatment by the federal government of the 50 states by the enactment of the REAL ID Act; and

BE IT FURTHER RESOLVED that the Missouri General Assembly finds that the enactment into law by the United States Congress of the REAL ID Act of 2005, as part of PL 109-13, is inimical to the security and well-being of the people of Missouri, will cause unneeded expense and inconvenience to those people, and was adopted by the United States Congress in violation of the principles of federalism contained in the Tenth Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Missouri General Assembly prohibits the State of Missouri from participating in the implementation of the REAL ID Act of 2005. The Missouri Department of Revenue, including the Division of Motor Vehicle and Drivers Licensing, is directed not to implement the provisions of the REAL ID Act of 2005 and to report to the Governor any attempt by agencies or agents of the federal Department of Homeland Security to secure the implementation of the REAL ID Act of 2005 through the operations of such Division and Department; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 180, HB 396 and HB 615**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Immigration, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 85**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 780**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 875**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Senior Citizen Advocacy, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 686**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 417**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 439**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **SCS SB 339**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 264**, **HCS HB 459** and **HCS HB 678**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 37, introduced by Representatives Talboy, Nasheed, Low (39), Johnson, Zimmerman, Baker (25), Curls, Donnelly, Holsman, Storch, Chappelle-Nadal, Lampe, Haywood, Walton, Lowe (44), Oxford and Hughes, relating to the ratification of the Equal Rights Amendment to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 26, introduced by Representative Quinn (7), relating to the regulation of deer.

HJR 27, introduced by Representatives Storch, Daus, Yaeger, Baker (25), LeVota, Grill, Roorda, Nasheed, Spreng, Holsman, Oxford, Zimmerman, Villa and Hughes, relating to congressional and legislative redistricting.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1, introduced by Representative Icet, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

HB 2, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

HB 3, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1021, introduced by Representative Stevenson, relating to the reliability of expert witness testimony.

HB 1022, introduced by Representatives Thomson and Quinn (7), relating to workers' compensation benefits.

HB 1023, introduced by Representatives Quinn (7), Bearden, Pratt, Dixon, Cooper (155), McGhee, Moore, Schoeller, Schad, Viebrock, Fisher, Hobbs, Liese, Whorton, Dempsey, Self, Icet, Loehner, Richard, Robb, Hunter, Schneider, Sater, Wilson (119), Weter, Thomson, Sander, Wallace, Jones (117), Wasson, Portwood, Grisamore, Lembke, May, Kingery, Nieves, Deeken, Tilley, Silvey, Cunningham (86), Day, Smith (150), Bivins, Smith (14), Onder, Jones (89), Funderburk, Ruzicka, Hodges, Baker (25), Villa, Walsh, Baker (123), Aull, Cooper (120), Wright-Jones, Yates, Dusenberg, Scharnhorst, Stream, Nance, Kelly, Franz, Wilson (130), Emery, Quinn (9), Scavuzzo, Todd, Sutherland, Dougherty, Munzlinger, Cox, Pearce, Rucker, Wildberger, Hubbard, Nasheed, Kratky, Storch, Curls, Cunningham (145), Guest, Roorda, Ruestman, Faith, Pollock, Wells, Casey, Hoskins, Bruns, Wright, Flook, Stevenson, Parson, Muschany, Threlkeld, Schlottach, St. Onge, Davis, McClanahan, Young, Hughes, Page, Burnett, Yaeger, Meiners, Komo, Kuessner, Corcoran, Johnson, Denison and Darrough, relating to conservation.

HB 1024, introduced by Representatives Dixon, Ruestman, Fisher and Moore, relating to the prevailing wage.

HB 1025, introduced by Representative Sater, relating to senior citizens' services fund tax.

HB 1026, introduced by Representatives Loehner, Wallace, Sater, Wood and Schad, relating to posting property against trespass.

HB 1027, introduced by Representatives Curls, Cooper (120), Talboy, Low (39), LeVota, Bland, Holsman, Skaggs, Brown (50), Burnett, Grisamore, Rucker and Pratt, relating to administrative adjudication of code violations.

HB 1028, introduced by Representative St. Onge, relating to restricted license plates.

HB 1029, introduced by Representative St. Onge, relating to additional charges for rental vehicles.

HB 1030, introduced by Representatives Norr and Lampe, relating to a tax credit for natural disaster costs.

HB 1031, introduced by Representatives Robinson, Fallert, Hodges, Storch, Rucker, Talboy, Donnelly, McClanahan, Kuessner, Tilley, Aull and Casey, relating to foster care.

HB 1032, introduced by Representatives Day, Dougherty and Moore, relating to the drug abuse educational assessment and community treatment program.

HB 1033, introduced by Representatives Emery and Kraus, relating to Voice over Internet Protocol service.

HB 1034, introduced by Representatives Robb, Emery, Fisher, Meiners, Sater, Threlkeld, Ruestman and Jones (89), relating to the Fair Tax Act of 2007.

HB 1035, introduced by Representatives Zimmerman, Portwood, Stream, Grisamore, Nieves, Smith (150), Silvey, Fares, Jones (89), Icet, Schoeller, Funderburk, Wright, Jetton, Tilley, Yates, Kraus, Stevenson, Richard, Storch, Donnelly, Harris (23), Bearden, Baker (25), Zweifel, Holsman, Burnett, LeVota, Talboy, Hughes, Nasheed, Low (39), Daus, Chappelle-Nadal, Ruzicka, McClanahan, Yaeger, Scavuzzo, Grill, Lampe, Norr, Harris (110), Cunningham (86), Faith, Onder, Dempsey, Threlkeld, Schaaf, Bruns, Pratt, Wasson, Spreng, Haywood, Wilson (130), Rucker, Aull, Dougherty, Hodges, Schieffer, Walsh, Quinn (9), Meadows, Johnson, Curls, Villa, Witte, Robinson, Fallert, George, Brown (50), Schoemehl, Oxford, Shively, El-Amin, Self, Brandom, Thomson, Franz, Dusenberg, Dixon, Bland, Walton, Frame, Vogt, Kratky, Smith (14), Hobbs, Todd, Page, Hubbard, Bringer, Meiners and Lowe (44), relating to public assistance for foster children.

HB 1036, introduced by Representatives Kratky, Wasson and Darrough, relating to private investigators.

HB 1037, introduced by Representatives Dusenberg, Schaaf, Wallace, Threlkeld, Kraus, Schad and Grisamore, relating to health screening of public school students.

HB 1038, introduced by Representative Skaggs, relating to the uniform prudent management of institutional funds.

HB 1039, introduced by Representatives Schneider and Storch, relating to drug testing of construction company employees on school property.

HB 1040, introduced by Representative Storch, relating to victims' rights.

HB 1041, introduced by Representative Roorda, relating to the joint committee on terrorism, bioterrorism, and homeland security.

HB 1042, introduced by Representatives Talboy, Schoeller, Low (39), Page, Johnson, Zimmerman, Burnett, Portwood, Holsman, LeVota, Hughes and Silvey, relating to community improvement districts.

HB 1043, introduced by Representative Lampe, relating to teacher and school employee retirement.

HB 1044, introduced by Representative Deeken, relating to elections.

HB 1045, introduced by Representative Tilley, relating to firearm ordinances.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 5**.

SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, chronic obstructive pulmonary disease (COPD), also known as chronic bronchitis and emphysema, is the fourth leading cause of death in the United States and the only one of the top five causes of death whose prevalence and death rate are rising; and

WHEREAS, COPD is a chronic progressive disease which impacts over 175,000 residents of Missouri and 24 million Americans; and

WHEREAS, the annual cost to the nation for COPD in 2004 was estimated to be approximately 37 billion dollars; and

WHEREAS, early diagnosis and management of COPD can effectively reduce the overall financial burden of the illness within public programs such as Medicaid; and

WHEREAS, proper management of COPD can lead to improved quality of life and self-sufficiency on the part of patients with COPD cared for within public programs; and

WHEREAS, disease management has been demonstrated to reduce overall costs of care and increase quality of life for patients with chronic diseases, especially when targeted to appropriate conditions and patients; and

WHEREAS, November is COPD awareness month and November 21, 2007, is COPD awareness day; and

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize November 21, 2007, as COPD awareness day, and November as COPD awareness month in Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby support and encourage the Department of Social Services, Division of Medical Services in its efforts with regard to disease management and including COPD in the department's chronic care improvement program in an effort to reduce the financial and clinical burden of COPD on the Medicaid program and the citizens of Missouri.

BE IT FURTHER RESOLVED that the Secretary of Senate be instructed to prepare properly inscribed copies of this resolution for the Department of Social Services.

The following member's presence was noted: Schlottach.

ADJOURNMENT

On motion of Representative Self, the House adjourned until 4:00 p.m., Monday, March 5, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, March 5, 2007, 9:00 a.m. Hearing Room 5.

Final Committee discussion on budget presentations and requests from 9:00 a.m. - 11:00 a.m.

BUDGET

Monday, March 5, 2007, 11:00 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Wednesday, March 7, 2007, 8:15 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Thursday, March 8, 2007, 8:15 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Friday, March 9, 2007, 8:00 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 207, HB 406, HB 430, HB 556, HB 609

ELECTIONS

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 812, HB 876, HB 922, HB 721

FISCAL REVIEW

Monday, March 5, 2007, Hearing Room 4 upon evening adjournment.

Any bills that may come to the Fiscal Review Committee.

Public hearing to be held on: HCS HB 40, 116 & 367

HEALTH CARE POLICY

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 723, HB 878

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, March 6, 2007, 12:30 p.m. House Lounge.

Quarterly business meeting. Old/New Business.

Some portions of the meeting may be closed pursuant to Section 610.021.

JUDICIARY

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 512

LOCAL GOVERNMENT

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 6.

Executive session may be held.

Public hearings to be held on: HB 43, HB 162, HB 494, HB 603, HB 702, HB 784

RULES - PURSUANT TO RULE 25(21)(f)

Monday, March 5, 2007, Hearing Room 5 upon evening adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 62, HB 268, HB 467, HB 910, HB 754, HB 680, HCS HB 698, HB 489, HCS HB 111, HCS HB 851, HCS HB 889, HB 75, HCS HB 693, HCS HB 469, HCS HB 338, HCS HB 820, HCS HB 365, 804 & 805, HCS HB 364, HB 213, HCS HB 448, HB 579, HCS HB 771, HCS HB 182, HCS HB 827, HCS HB 28

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 877, HB 879, HB 1002

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 6, 2007, Hearing Room 2 upon morning recess.

Possible Executive session.

Public hearings to be held on: HB 906, HB 810

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 836, HB 616, HB 641, HB 850

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON VETERANS

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 938, HB 1014, HB 915, HB 916

TRANSPORTATION

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 99, HB 694, HB 708, HB 768, HB 397

HOUSE CALENDAR

THIRTY-FOURTH DAY, MONDAY, MARCH 5, 2007

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 37

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 26 and HJR 27

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1 through HB 3

HOUSE BILLS FOR SECOND READING

HB 1021 through HB 1045

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 21 - Cooper (120)

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 16 - Icet

HOUSE BILLS FOR PERFECTION

- | | | |
|----|---------------------------|--------------------------------|
| 1 | HB 263 - Nieves | |
| 2 | HB 46 - Viebrock | |
| 3 | HB 808 - Bearden | (3 hours debate on Perfection) |
| 4 | HCS HB 346 - Munzlinger | |
| 5 | HCS HB 620 - Muschany | |
| 6 | HB 625 - Dempsey | |
| 7 | HB 488 - Wasson | |
| 8 | HCS HB 221 - Yates | |
| 9 | HCS HB 61 - Ruestman | |
| 10 | HCS HB 458 - Sutherland | |
| 11 | HCS HB 74 - Wilson (119) | |
| 12 | HB 220 - Stevenson | |
| 13 | HB 255 - Bruns | |
| 14 | HB 526 - Pratt | |
| 15 | HB 527 - Cooper (120) | |
| 16 | HB 665 - Ervin | |
| 17 | HB 166 - Hoskins | |
| 18 | HCS HB 774 - Jones (89) | |
| 19 | HCS HB 669 - Pearce | |
| 20 | HB 125 - Franz | |
| 21 | HCS HB 131 - Cooper (120) | |
| 22 | HB 155 - Dusenberg | |
| 23 | HCS HB 426 - Parson | |

HOUSE BILLS FOR PERFECTION - INFORMAL

- | | |
|---|---------------------|
| 1 | HB 262 - Nieves |
| 2 | HCS HB 369 - Fisher |

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- | | |
|---|--------------------------|
| 1 | HB 265 - Cunningham (86) |
| 2 | HB 267 - Jones (117) |

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/07)

- 1 HCS HB 135 - Day
- 2 HCS HB 405 - Moore
- 3 HCS HB 608 - Day
- 4 HB 732 - Parson

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 40, 116 & 367, (Fiscal Review 2-27-07) - Portwood
- 2 HCS HB 636, 308 & 173, (Fiscal Review 2-28-07) - Kraus

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 70 - Day
- 2 HB 205 - Marsh
- 3 HB 69 - Day
- 4 HCS HB 272 - Viebrock
- 5 HB 319 - Villa
- 6 HB 344 - Munzlinger
- 7 HB 351 - Wood
- 8 HB 576 - Cooper (120)
- 9 HB 264 - Cunningham (86)
- 10 HCS HB 459 - Sutherland
- 11 HCS HB 678, E.C. - Marsh

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 25, (2-27-07, Pages 491-192) - Yates
- 5 HCR 30, (2-28-07, Page 508) - Pratt

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-FOURTH DAY, MONDAY, MARCH 5, 2007

The House met pursuant to adjournment.

Representative Stevenson in the Chair.

Prayer by Reverend James Earl Jackson.

You are worthy, O Lord, to receive glory and honor and power; For You created all things, and by Your will they exist and were created.

You have called us as laborers together with You. We need Your partnership. We know that without You, we are so limited in what we are able to do. You see what we can't see; You know what we don't know; You have wisdom and insight that we don't have. We simply must have Your help if we are going to succeed in what You have commissioned us to do.

So we continue: working to improve the quality of life for all Missourians. We continue: confident that You are directing our steps as we listen intently to You, advisors, and constituents.

Now may You, the God of hope, fill us with all joy and peace in believing, so that we would abound in hope by the power of Your Spirit.

For it's in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: William Branch Blunt.

The Journal of the thirty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 893 through House Resolution No. 997

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 37 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 26 and **HJR 27** were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1 through **HB 3** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1021 through **HB 1045** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 620, relating to teacher certification and mentoring, was taken up by Representative Muschany.

Representative Lampe offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 620, Page 2, Section 161.375, Line 34, by inserting after all of said line the following:

"**161.380. 1. The department of elementary and secondary education shall develop standards for teaching in Missouri public schools no later than June 30, 2008. The standards shall be applicable to all public schools, including public charter schools.**

2. Teaching standards shall include, but not be limited to, the following:

- (1) Students actively participate and are successful in the learning process;**
- (2) Various forms of assessment are used to monitor and manage student learning;**
- (3) The teacher is prepared and knowledgeable of the content and effectively maintains students' on-task behavior;**
- (4) The teacher uses professional communication and interaction with the school community;**
- (5) The teacher keeps current on instructional knowledge and seeks and explores changes in teaching behaviors that will improve student performance; and**
- (6) The teacher acts as a responsible professional in the overall mission of the school.**

3. The department shall establish key criteria by which teaching may be evaluated under the teaching standards. The teaching standards and criteria shall serve as the basis for establishment of district performance-based teaching evaluations pursuant to section 168.128, RSMo, and teacher professional development plans.

4. The evaluation system shall:

- (1) Supply information and feedback regarding effective practice;**
- (2) Offer a pathway for individual professional growth;**
- (3) Allow a mechanism to nurture professional growth toward common goals; and**
- (4) Support a learning community in which people are encouraged to improve and share insights in the profession.**

5. The teaching standards and evaluation system shall be based upon the following principles:

- (1) The responsibility for staff evaluation and professional growth resides at the school district level;**
- (2) The teaching evaluation model addresses teaching evaluation and professional development;**
- (3) Sufficient orientation is provided to acquaint teachers with the district's evaluation and professional growth process and the specific criteria to be documented;**
- (4) Adequate time is provided for teachers to grow professionally in order to become involved in activities such as mentoring programs, peer coaching, and working on professional teams;**
- (5) The system allows for teacher reflection, teacher collaboration, and staff contribution to the learning community;**
- (6) A strong mentoring program with sufficient funding and proper training is essential for providing the necessary support and feedback for first-year and second-year teachers;**
- (7) Reliable evaluators are essential to the evaluation process;**

- (8) The use of multiple trained evaluators may be appropriate and beneficial in some districts;
- (9) A post-observation conference is conducted within a reasonable period of time following a classroom observation;
- (10) The system provides for a professional connection between the criteria, student performance, and building goals and district school improvement plans;
- (11) All teachers have a professional development plan or a professional improvement plan;
- (12) Professional improvement plans are developed to assist teachers not meeting district expectations;
- (13) Professional development plans are informed by applicable teacher certification requirements;
- (14) The local professional development committee serves as a resource to provide teachers with quality professional development opportunities related to their professional development plans; and
- (15) The administrator or supervisor is responsible for the management of the teaching evaluation and professional development phases of the evaluation.

6. In developing such teaching standards and evaluation models, the department shall involve representatives from the state teacher organizations, administration and principal organizations, Missouri advisory council for the certification of educators as created by section 168.015, Missouri staff development douncil, and colleges and universities."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	McGhee	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schneider	Schoemehl	Shively	Silvey	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Wallace	Walsh	Whorton
Wildberger	Witte	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

NOES: 086

Bearden	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schad	Schamhorst

Schlottach	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Brown 30	Schaaf	Walton
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Representative Aull offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 620, Page 3, Section 168.021, Lines 29 to 37, by deleting all of said lines and inserting in lieu thereof the following:

"(a) Ability to work with children as demonstrated at the end of course work by successful completion of at least one full semester of full-time student teaching in an accredited public school in the area of the teaching candidate's specialization under the direction of a certificated public school teacher;"; and

Further amend said bill, page, and section, Line 42, by deleting the word **"and"**; and

Further amend said bill, page, and section, Line 43, by deleting the word **"evaluation."** and inserting in lieu thereof the following:

"evaluation conducted by the appropriate administrator in the school where the teaching candidate completes his or her student teaching;

(e) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(f) Completion of an appropriate background check as required by the state board of education for teaching candidates."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Day	Donnelly
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hughes
Komo	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Marsh
McClanahan	McGhee	Meadows	Meiners	Moore
Nance	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schneider	Schoemehl	Shively
Silvey	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Wallace
Walsh	Whorton	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

NOES: 083

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Lembke	Lipke	Loehner
May	Munzlinger	Muschany	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schad	Scharnhorst
Schlottach	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 006

Avery	Brown 30	Dempsey	Kingery	Schaaf
Walton				

On motion of Representative Muschany, **HCS HB 620** was adopted.

On motion of Representative Muschany, **HCS HB 620** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 678, relating to make-up days for public schools, was taken up by Representative Marsh.

On motion of Representative Marsh, **HCS HB 678** was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 006

Chappelle-Nadal	Daus	George	Hughes	Komo
Roorda				

PRESENT: 004

Cunningham 86	Johnson	Muschany	Onder
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ABSENT WITH LEAVE: 009

Avery	Bowman	Brown 30	El-Amin	Emery
Schaaf	Schneider	Stream	Walton	

Representative Stevenson declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Aull	Baker 123	Bearden	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 015

Baker 25	Bowman	Chappelle-Nadal	Daus	George
Haywood	Holsman	Hughes	Komo	LeVota
Low 39	Roorda	Schneider	Skaggs	Talboy

PRESENT: 004

Cunningham 86	Johnson	Muschany	Onder
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ABSENT WITH LEAVE: 005

Avery	Brown 30	Emery	Schaaf	Walton
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HB 70, relating to a certain high school course exemption, was taken up by Representative Day.

On motion of Representative Day, **HB 70** was read the third time and passed by the following vote:

AYES: 130

Aull	Baker 123	Bearden	Bivins	Bland
Brandom	Brown 50	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Darrough	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Harris 23	Harris 110	Hobbs
Hodges	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Lampe
Lembke	Liese	Lipke	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Villa	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 027

Baker 25	Bowman	Bringer	Chappelle-Nadal	Corcoran
Curls	Daus	Davis	Donnelly	Fallert
Haywood	Holsman	Kuessner	LeVota	Loehner
Low 39	Lowe 44	Roorda	Sater	Schneider
Schoemehl	Talboy	Viebrock	Vogt	Wallace
Wright-Jones	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Emery	Guest	Schaaf
Walton				

Representative Stevenson declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 263, HB 625, HB 220, HB 255, HB 526, HB 527, HB 665 and **HB 166** were placed on the Informal Calendar.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 952 - Crime Prevention and Public Safety

HB 991 - Special Committee on Job Creation and Economic Development

COMMITTEE REPORTS

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 238**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 104**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 165**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 360**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1046, introduced by Representative Cunningham (86), relating to financial interest statements.

HB 1047, introduced by Representative Cunningham (86), relating to teacher transfers in failing districts.

HB 1048, introduced by Representative Cunningham (86), relating to public school teachers.

HB 1049, introduced by Representative Cooper (120), relating to seizure and forfeiture of contraband cigarettes.

HB 1050, introduced by Representative Pratt, relating to a tax credit for first-time homebuyers.

HB 1051, introduced by Representative Sutherland, relating to property tax assessment.

HB 1052, introduced by Representative Brown (50), relating to community improvement districts.

HB 1053, introduced by Representative Pratt, relating to the definition of certified mail.

COMMITTEE ASSIGNMENT

March 2, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Belinda Harris to the House Budget Committee.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 14**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2007.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 161**, entitled:

An act to repeal section 210.245, RSMo, and to enact in lieu thereof two new sections relating to quality rating system for child care facilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 195**, entitled:

An act to repeal sections 338.010 and 338.095, RSMo, and to enact in lieu thereof three new sections relating to pharmacists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 197**, entitled:

An act to repeal sections 407.1200, 407.1203, 407.1206, 407.1209, 407.1212, 407.1215, 407.1218, 407.1221, 407.1224, 407.1225, and 407.1227, RSMo, and to enact in lieu thereof twenty-two new sections relating to service contracts, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 199 & 207**, entitled:

An act to repeal section 144.062, RSMo, and to enact in lieu thereof one new section relating to sales tax exemption for highway construction materials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 235**, entitled:

An act to repeal sections 36.030, 36.031, 306.161, 306.163, and 650.005, RSMo, and to enact in lieu thereof nine new sections relating to the water patrol.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 384**, entitled:

An act to repeal section 301.301, RSMo, and to enact in lieu thereof one new section relating to stolen license plate tabs, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, March 6, 2007.

COMMITTEE MEETINGS

BUDGET

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Wednesday, March 7, 2007, 8:15 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Thursday, March 8, 2007, 8:15 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

BUDGET

Friday, March 9, 2007, 8:00 a.m. Hearing Room 3.

Appropriation Committee reports.

Executive session may follow.

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 647, HB 880

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 207, HB 406, HB 430, HB 556, HB 609

ELECTIONS

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 812, HB 876, HB 922, HB 721

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 7, 2007, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 418, HB 730, HB 86

HEALTH CARE POLICY

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 723, HB 878

HIGHER EDUCATION

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 1.

Public hearing to be held on: HB 941

Executive session will be held on: HB 181, HB 442

INSURANCE POLICY

Wednesday, March 7, 2007, 12:00 p.m. Hearing Room 6.

Executive session.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, March 6, 2007, 1:00 p.m. House Lounge.

Quarterly business meeting.

Old/New Business. Some portions of the meeting may be closed pursuant to Section 610.021. AMENDED

JUDICIARY

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 512

LOCAL GOVERNMENT

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 6.

Executive session may be held.

Public hearings to be held on: HB 43, HB 162, HB 494, HB 603, HB 702, HB 784

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 877, HB 879, HB 1002

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 6, 2007, Hearing Room 2 upon morning recess.

Possible Executive session.

Public hearings to be held on: HB 906, HB 810

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 583, HB 676

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, March 7, 2007, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 462, HB 643, HB 845

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 836, HB 616, HB 641, HB 850

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 818, HB 791

SPECIAL COMMITTEE ON HEALTH INSURANCE

Wednesday, March 7, 2007, 9:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 818, HB 791

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 6, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 420

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 11, HB 741, HB 891

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 490, HB 32

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 214, HB 689

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 621, HB 168, HB 932

SPECIAL COMMITTEE ON UTILITIES

Wednesday, March 7, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 801, HB 872

SPECIAL COMMITTEE ON VETERANS

Tuesday, March 6, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 933, HB 1014, HB 915, HB 916

TRANSPORTATION

Tuesday, March 6, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 99, HB 694, HB 708, HB 768, HB 397

HOUSE CALENDAR

THIRTY-FIFTH DAY, TUESDAY, MARCH 6, 2007

HOUSE BILLS FOR SECOND READING

HB 1046 through HB 1053

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 21 - Cooper (120)

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 16 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HB 46 - Viebrock
- 2 HB 808 - Bearden (3 hours debate on Perfection)
- 3 HCS HB 346 - Munzlinger
- 4 HB 488 - Wasson
- 5 HCS HB 221 - Yates
- 6 HCS HB 61 - Ruestman
- 7 HCS HB 458 - Sutherland
- 8 HCS HB 74 - Wilson (119)
- 9 HCS HB 774 - Jones (89)
- 10 HCS HB 669 - Pearce
- 11 HB 125 - Franz
- 12 HCS HB 131 - Cooper (120)
- 13 HB 155 - Dusenberg
- 14 HCS HB 426 - Parson
- 15 HCS HB 90 - St. Onge

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 262 - Nieves
- 2 HCS HB 369 - Fisher
- 3 HB 263 - Nieves
- 4 HB 625 - Dempsey
- 5 HB 220 - Stevenson
- 6 HB 255 - Bruns
- 7 HB 526 - Pratt
- 8 HB 527 - Cooper (120)
- 9 HB 665 - Ervin
- 10 HB 166 - Hoskins

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/07)

- 1 HCS HB 135 - Day
- 2 HCS HB 405 - Moore
- 3 HCS HB 608 - Day
- 4 HB 732 - Parson

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 40, 116 & 367, (Fiscal Review 2-27-07) - Portwood
- 2 HCS HB 636, 308 & 173, (Fiscal Review 2-28-07) - Kraus

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 205 - Marsh
- 2 HB 69 - Day
- 3 HCS HB 272 - Viebrock
- 4 HB 319 - Villa
- 5 HB 344 - Munzlinger
- 6 HB 351 - Wood
- 7 HB 576 - Cooper (120)
- 8 HB 264 - Cunningham (86)
- 9 HCS HB 459 - Sutherland

SENATE BILLS FOR SECOND READING

- 1 SS#2 SCS SB 161
- 2 SS SB 195
- 3 SCS SB 197
- 4 SCS SBs 199 & 207
- 5 SCS SB 235
- 6 SCS SB 384

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 25, (2-27-07, Pages 491-192) - Yates
- 5 HCR 30, (2-28-07, Page 508) - Pratt
- 6 HCR 8, (2-21-07, Pages 437-438) - Loehner

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 14 - Icet

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-FIFTH DAY, TUESDAY, MARCH 6, 2007

The House met pursuant to adjournment.

Representative Cooper (120) in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, the people of every age and description whom we see coming and going here each day, as we go about our work, inspire us to praise You in the words of Psalm 8:

What is man that You should be mindful of him
or the son of man that You should care for him?

You have made him little less than the angels,
and crowned him with glory and honor.
(Psalm 8:4-5)

Through the arts Your people reflect Your beauty, O God. Through concern for physical safety they preserve the wholeness and dignity of the human person. Through their pro-life efforts they support the right to existence of every human being.

O Lord, help us to do well our work for all the people we represent, our work on these themes and upon all of our agenda. We pray to You, our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mikayla Todd, Marissa Todd, Brantley Scott, Molly Tedrow, Samantha Cockrell, Erica Graham, Lainy Harrison, Kelly Barker, Olivia Langley and Eliot Hercules.

The Journal of the thirty-fourth day was approved as corrected.

SPECIAL RECOGNITION

Major General William McCoy, Commanding General of Ft. Leonard Wood, was introduced by Representative Day.

Major General McCoy addressed the House.

SECOND READING OF HOUSE BILLS

HB 1046 through **HB 1053** were read the second time.

SECOND READING OF SENATE BILLS

SS#2 SCS SB 161, SS SB 195, SCS SB 197, SCS SBs 199 & 207, SCS SB 235 and **SCS SB 384** were read the second time.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 16, relating to appropriations, was taken up by Representative Icet.

Representative Schaaf requested a division of the question on **HCS HB 16**.

The division of the question was denied by the Chair.

Representative Donnelly offered **House Amendment No. 1**.

Representative Icet raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Icet, **HCS HB 16** was adopted.

On motion of Representative Icet, **HCS HB 16** was ordered perfected and printed.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Gabrielle Evans.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 998 through House Resolution No. 1030

HOUSE CONCURRENT RESOLUTION

Representative Wright offered House Concurrent Resolution No. 38.

THIRD READING OF HOUSE BILL - CONSENT

HB 69, relating to a transient guest tax, was taken up by Representative Day.

On motion of Representative Day, **HB 69** was read the third time and passed by the following vote:

AYES: 088

Bearden	Bivins	Brandom	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Emery	Faith
Fares	Fisher	Flook	Franz	Funderburk
Guest	Hobbs	Hoskins	Hughes	Icet
Jones 89	Jones 117	Kelly	Kingery	Kratky
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meiners	Munzlinger	Nance	Nieves
Nolte	Onder	Oxford	Parson	Pearce
Pollock	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Schaaf	Schad	Schlottach
Schneider	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Young	Mr Speaker		

NOES: 064

Aull	Baker 25	Baker 123	Bland	Bringer
Burnett	Chappelle-Nadal	Corcoran	Cunningham 86	Curls
Darrough	Daus	Davis	Donnelly	Dusenberg
El-Amin	Ervin	Fallert	Frame	George
Grill	Grisamore	Harris 23	Harris 110	Haywood
Hodges	Holsman	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Low 39
McClanahan	Meadows	Muschany	Norr	Page
Pratt	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Scharnhorst	Schieffer	Schoemehl
Shively	Silvey	Skaggs	Spreng	Storch
Talboy	Todd	Walsh	Whorton	Wildberger
Yaeger	Yates	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bowman	Brown 30	Hubbard	Hunter
Johnson	Moore	Nasheed	Portwood	Sater
Walton				

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HB 488, relating to a credit for idle reduction technology, was taken up by Representative Wasson.

Representative Pratt assumed the Chair.

Representative Frame offered **House Amendment No. 1**.

Representative Cooper (120) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Corcoran offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 488, Page 2, Section 135.670, Line 18, by inserting after all of said line the following:

"No individual or entity shall be deemed a taxpayer under this subdivision unless such individual or entity is a resident of this state."; and

Further amend said bill, Page 2, Section 135.670, Lines 20 and 21, by deleting all of said lines and inserting in lieu thereof the following:

"allowed to claim a tax credit against the taxpayer's state tax liability in an amount not to exceed fifty percent of the amount such taxpayer paid to purchase and install idle reduction"; and

Further amend said bill, Page 2, Section 135.670, Line 29, by deleting all of said line and inserting in lieu thereof the following:

"4. The cumulative amount of tax credits which may be issued under this section in any one fiscal year shall not exceed fifteen million dollars, and the total amount of tax credits which may be issued under this section shall not exceed thirty million dollars. If the amount of tax credits claimed under this section exceeds fifteen million dollars in any one fiscal year, the director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all taxpayers allowed a tax credit under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure

described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

5. Not less than one hundred twenty days from the effective date of this act, the"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Corcoran, **House Amendment No. 2** was adopted.

On motion of Representative Wasson, **HB 488, as amended**, was ordered perfected and printed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 14, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 14** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILLS

HB 46, relating to the impoundment of animals, was taken up by Representative Viebrock.

Representative Witte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 46, Section 578.018, Page 2, Line 20, by inserting after the word "**agriculture**" the following:

", or his or her designee,"; and

Further amend House Bill No. 46, Section 578.018, Page 2, Line 24, by inserting after the first occurrence of the word "**veterinarian**" the following:

", or his or her designee,"; and

Further amend House Bill No. 46, Section 578.018, Page 2, Line 24, by inserting after the second occurrence of the word "**veterinarian**" the following:

", or his or her designee,"; and

Further amend House Bill No. 46, Section 578.018, Page 2, Line 27, by inserting after the word "**veterinarian**" the following:

", or his or her designee,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Cooper (120) resumed the Chair.

Representative Pratt resumed the Chair.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Viebrock offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1 to House Amendment No. 1 was withdrawn.

Representative Viebrock offered **House Amendment No. 2 to House Amendment No. 1**.

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 46, Page 1, Line 15, by inserting immediately after the word "and", the following:

Further amend House Bill No. 46, Section 578.018, Page 2, Line 23, by inserting immediately after the word "section.", the following:

"Upon issuance of a court order to enter private property and prior to execution of such order, the executing law enforcement agency shall notify the state veterinarian, as defined in section 267.010, RSMo, who shall accompany, or designate a state licensed veterinarian that shall accompany in his or her place, the law enforcement agency personnel when entering the private property. If after entering the private property the state veterinarian, or his or her designee, determines that further action is necessary to safeguard the health and welfare of the animal on the property, the state veterinarian, or his or her designee, shall advise the issuing court as to the appropriate actions to be taken, including but not limited to quarantine, impoundment, placement, medical treatment, or euthanasia."'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Viebrock, **House Amendment No. 2 to House Amendment No. 1** was adopted.

On motion of Representative Witte, **House Amendment No. 1, as amended**, was adopted.

Representative Lampe offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 46, Page 2, Section 578.018, Line 43, by deleting the word "**Diligent**" and inserting in lieu thereof the word "**Reasonable**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Lampe offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 46, Page 1, Section 578.018, Line 3, by deleting the word "a" and further amend said line by deleting the open bracket "[" and the end bracket "]" and deleting the word, "animal"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Viebrock, **HB 46, as amended**, was ordered perfected and printed by the following vote:

AYES: 103

Aull	Baker 123	Bearden	Bivins	Brandom
Bringer	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Harris 110	Hobbs	Hodges	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kratky
Kraus	Kuessner	Lembke	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Viebrock
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Mr Speaker		

NOES: 054

Baker 25	Bland	Bowman	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Cunningham 86	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Fares	Frame	George	Grill	Harris 23
Haywood	Holsman	Hoskins	Hughes	Johnson
Komo	Lampe	LeVota	Liese	Low 39
Meadows	Meiners	Norr	Oxford	Page
Roorda	Rucker	Scavuzzo	Schoemehl	Shively

Skaggs	Spreng	Storch	Talboy	Threlkeld
Villa	Vogt	Walsh	Wildberger	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Hubbard	Nasheed	Schad
Self				

HCS HB 346, relating to agricultural development, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 346** was adopted.

On motion of Representative Munzlinger, **HCS HB 346** was ordered perfected and printed.

HOUSE CONCURRENT RESOLUTION

HCR 25, relating to the Truman Medical Center, was taken up by Representative Yates.

On motion of Representative Yates, **HCR 25** was adopted.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 220, relating to the Missouri Uniform Trust Code, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HB 220** was ordered perfected and printed.

HB 166, relating to write-in candidates, was taken up by Representative Hoskins.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 166, Section 115.453, Page 2, Line 37, by inserting after the reference "**115.349**" on said line the following:

"and is qualified to be certified as a candidate under sections 115.342 and 115.346"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nieves assumed the Chair.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

On motion of Representative Hoskins, **HB 166, as amended**, was ordered perfected and printed.

HB 255, relating to the fleet management fund, was taken up by Representative Bruns.

On motion of Representative Bruns, **HB 255** was ordered perfected and printed.

Speaker Jetton assumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 14** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Green and Bray.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

SCS HCS HB 14: Representatives Icet, Stevenson, Cunningham (145), Wildberger and Donnelly

Representative Nieves resumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1 - Budget

HB 2 - Budget

HB 3 - Budget

HB 923 - Special Committee on Urban Issues

HB 1036 - Special Committee on Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 28**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 62**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 75**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 111**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 182**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 213**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 268**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 338**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 364**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 365, 804 & 805**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 448**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 466**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 467**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 469**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 489**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 579**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 680**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 693**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 754**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 771**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 820**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 827**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 851**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 889**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 910**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 211**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 894**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 554**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 555**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 122**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 431**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HCS HB 28**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Healthcare Facilities, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Facilities, to which was referred **HB 432**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 233**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tax Reform, Chairman Stevenson reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 218**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 429**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 933**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1014**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1054, introduced by Representatives Bruns and Deeken, relating to rail-highway grade crossings.

HB 1055, introduced by Representatives Sander, Tilley, Harris (110), Emery, Wells, Schoeller, Fisher, Stream, Wilson (130), Cunningham (145), Faith, Moore, Viebrock, Wright, Denison, Pratt, Flook, Dusenberg, Grisamore, Dethrow, Nolte, Onder, Munzlinger, Jones (89), Cox, Ruzicka, Yaeger, Loehner, Self, Nance, Wilson (119), Weter, Portwood, Smith (14), Jetton, Stevenson, Dixon, Muschany, Davis, Kingery, Kelly, McGhee, Baker (123), Cunningham (86), Schlottach, Richard, Nieves, Threlkeld, Day, Deeken, Meiners, Pearce, Bearden, Lembke, Bivins, Sater, Rucker, Spreng, Walsh, Sutherland, Swinger, Bruns, Dempsey, Wood, Lipke, Hobbs, Ruestman, Cooper (158), Funderburk, Hunter, Parson, Yates, Silvey, Jones (117), Ervin, Schoemehl, Wildberger, Shively, Bringer, Scharnhorst, Schieffer, Icet, Franz, Casey, Villa, Salva, Cooper (155), Pollock, Meadows, Quinn (9), Scavuzzo, Robinson, Schad, Smith (150), Cooper (120) and Corcoran, relating to abortions.

HB 1056, introduced by Representatives Robb and Harris (110), relating to waste disposal.

HB 1057, introduced by Representatives Robb, Schneider and Cunningham (86), relating to charter schools.

HB 1058, introduced by Representatives Talboy and Hughes, relating to liquor sale by the drink.

HB 1059, introduced by Representatives Talboy, Oxford, Low (39), Meadows, Shively, Baker (25), Roorda and Hodges, relating to election procedures.

HB 1060, introduced by Representative Brown (50), relating to registration of landlords.

HB 1061, introduced by Representatives Cooper (155), Threlkeld, Schaaf, Cunningham (86), Page and Baker (25), relating to the reporting, analysis, and dissemination of information about medical errors.

HB 1062, introduced by Representatives Holsman, Fallert, Scavuzzo, Brown (50), Salva, Lampe, Darrough, Storch, Skaggs, Rucker, Wildberger, Norr, Schoemehl, Harris (110), Nasheed, Oxford, Bowman, Aull, Komo, Dougherty, Grisamore, Donnelly, Hodges, Talboy, El-Amin, Johnson, Burnett, Tilley, Frame, Hoskins, Roorda, Daus, Spreng, Robinson, George, Schieffer, Shively, Quinn (9), Todd, Kuessner, Page, Meiners, Bland, Curls, Grill, Low (39), Walsh, McClanahan, Hughes, Casey, Kratky, Vogt, Lowe (44), Zimmerman, LeVota, Hubbard, Meadows, Yaeger, Baker (25), Haywood and Liese, relating to the green power initiative.

HB 1063, introduced by Representative Pollock, relating to the designation of a memorial highway.

HB 1064, introduced by Representative Hunter, relating to contributions authorized by district employers.

HB 1065, introduced by Representative Sutherland, relating to income tax rates.

HB 1066, introduced by Representatives Denison, Ruzicka, Munzlinger, Kingery, Stevenson, Norr, Oxford, Hodges, Jones (89), Marsh, Richard, Schaaf, Guest, Threlkeld, Nance, Icet, Smith (150), Weter, Wallace, Schlottach, Fisher, Wells, Schad and Faith, relating to the designation of a memorial highway.

HB 1067, introduced by Representatives Denison, Munzlinger, Kingery, Stevenson, Jones (89), Marsh, Richard, Schaaf, Threlkeld, Nance, Icet, Smith (150), Weter, Muschany, Wallace, Schlottach, Pearce, Fisher, Wells, Schad and Faith, relating to the use of automated external defibrillators.

HB 1068, introduced by Representative Yates, for the sole purpose of repealing expired, sunset, terminated, and ineffective provisions of law.

HB 1069, introduced by Representatives Baker (25), Holsman, Low (39), Zimmerman, Harris (110), Meiners, Daus, Flook, Baker (123), Shively, Wildberger, Whorton, Skaggs, Jones (117) and Dempsey, relating to energy conservation.

HB 1070, introduced by Representatives Baker (25), Low (39), Zimmerman, Holsman, Harris (110), Meiners, Daus, Baker (123), Shively, Wildberger, Whorton, Skaggs and Jones (117), relating to renewable energy research.

HB 1071, introduced by Representatives Page, Burnett, Hughes, Fallert, Bringer, Darrough, Schoemehl, Norr, Yaeger, Scavuzzo, Harris (110) and Schieffer, relating to health insurance benefits for dependents.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 91**, entitled:

An act to repeal sections 301.550 and 301.560, RSMo, and to enact in lieu thereof two new sections relating to the sole purpose of exempting dealers who sell emergency vehicles from certain dealer licensure requirements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 102**, entitled:

An act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to vehicle weight regulations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 104**, entitled:

An act to repeal sections 43.010, 43.030, 43.090, 43.110, 43.120, 43.140, 43.210, 43.220, 43.251, 302.133, 302.134, 302.135, 302.136, 302.137, 302.178, 577.608, and 650.005, RSMo, and to enact in lieu thereof eighteen new sections relating to the administration of certain highway programs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 130**, entitled:

An act to repeal sections 226.530 and 226.580, RSMo, and to enact in lieu thereof two new sections relating to outdoor advertising.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 163**, entitled:

An act to repeal sections 477.650 and 488.031, RSMo, and to enact in lieu thereof two new sections relating to the basic civil legal services fund, with an expiration date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 226**, entitled:

An act to repeal section 577.051, RSMo, and to enact in lieu thereof one new section relating to the handling of certain driving offense records, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 238**, entitled:

An act to repeal section 301.142, RSMo, and to enact in lieu thereof one new section relating to disabled windshield placards, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 240**, entitled:

An act to repeal section 302.720, RSMo, and to enact in lieu thereof one new section relating to commercial driver license skills test exemptions for qualified military personnel.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 244**, entitled:

An act to repeal sections 169.070, 169.466, 169.471, and 169.670, RSMo, and to enact in lieu thereof four new sections relating to the teacher and school employee retirement systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 406**, entitled:

An act to repeal sections 104.010, 104.352, 104.354, 104.1003, 104.1021, and 104.1087, RSMo, and to enact in lieu thereof six new sections relating to the administration of state employee retirement benefits.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, March 7, 2007.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative John Bowman, District 70, hereby state and affirm that my vote as recorded on Page 540 of the House Journal for March 5, 2007 was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of March 2007.

/s/ John Bowman
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of March in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, March 8, 2007, 8:00 a.m. House Chamber south gallery.
Executive session.

BUDGET

Wednesday, March 7, 2007, 8:15 a.m. Hearing Room 3.
Appropriation Committee reports.
Executive session may follow.

BUDGET

Thursday, March 8, 2007, 8:15 a.m. Hearing Room 3.
Appropriation Committee reports.
Executive session may follow.

BUDGET

Friday, March 9, 2007, 8:00 a.m. Hearing Room 3.
Appropriation Committee reports.
Executive session may follow.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, March 8, 2007, 8:00 a.m. Senate Committee Room 2.
Executive session may follow.
Public hearing to be held on: SCS HCS HB 14

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearing to be held on: HB 880

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 7, 2007, 5:00 p.m. House Lounge.

Executive session may follow.

Public hearings to be held on: HB 740, HB 684

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 7, 2007, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 418, HB 730, HB 86

FISCAL REVIEW

Thursday, March 8, 2007, 8:30 a.m. Hearing Room 4.

Any other bills that may come to the Fiscal Review Committee.

Public hearings to be held on: HCS HB 636, 308 & 173, HCS HB 40, 116 & 367

INSURANCE POLICY

Wednesday, March 7, 2007, 12:00 p.m. Hearing Room 6.

Executive session.

JUDICIARY

Thursday, March 8, 2007, 9:00 a.m. Hearing Room 6.

Informational hearing only on HB 399.

LOCAL GOVERNMENT

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 464, HB 736, HB 737, HB 920, HB 937, HB 944

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, March 7, 2007, 1:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCR 20, HJR 19, HCS HB 780, HB 875, HB 686, HB 360, HCS HB 165, HCS HB 104, HCS HB 238, HCS HB 180, 396 & 615, HB 546, HCS HB 85, HCS HB 788, HB 439, SCS SB 339

SPECIAL COMMITTEE ON AGRI-BUSINESS

Wednesday, March 7, 2007, House Chamber south gallery upon morning recess.

Executive session.

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 583, HB 676

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, March 7, 2007, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 462, HB 643, HB 845

SPECIAL COMMITTEE ON HEALTH INSURANCE

Wednesday, March 7, 2007, 9:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 818, HB 791

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, March 7, 2007, House Chamber south gallery upon morning recess.

Executive session.

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, March 7, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HCR 33

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 11, HB 741, HB 891

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 8, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 544, HB 633, HB 815, HB 914, HB 987, HB 988, HB 1036

SPECIAL COMMITTEE ON RETIREMENT

Thursday, March 8, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 631, HB 856, HCR 32

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Wednesday, March 7, 2007, Hearing Room 1 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 624, HB 958

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, March 7, 2007, 5:00 p.m. Hearing Room 1.

Executive session will follow. AMENDED

Public hearing to be held on: HB 796

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 490, HB 32

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, March 8, 2007, 8:00 a.m. Hearing Room 4.

Executive session.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, March 7, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 214, HB 689

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, March 8, 2007, 8:30 a.m. House Lounge.

Executive session may follow.

Public hearings to be held on: HB 587, HB 923, HB 589

SPECIAL COMMITTEE ON UTILITIES

Wednesday, March 7, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 801, HB 872

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 7, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 450, HB 598

TRANSPORTATION

Thursday, March 8, 2007,

House Chamber south gallery, thirty (30) minutes after morning adjournment.

Executive session.

WAYS AND MEANS

Thursday, March 8, 2007, 8:00 a.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HJR 6, HB 34, HB 65, HB 76, HB 100,

HB 128, HB 266, HB 662, HB 921

HOUSE CALENDAR

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 7, 2007

HOUSE BILLS FOR SECOND READING

HB 1054 through HB 1071

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 21 - Cooper (120)

HOUSE BILLS FOR PERFECTION

- | | | |
|----|-------------------------------|--------------------------------|
| 1 | HB 808 - Bearden | (3 hours debate on Perfection) |
| 2 | HCS HB 221 - Yates | |
| 3 | HCS HB 61 - Ruestman | |
| 4 | HCS HB 458 - Sutherland | |
| 5 | HCS HB 74 - Wilson (119) | |
| 6 | HCS HB 774 - Jones (89) | |
| 7 | HCS HB 669 - Pearce | |
| 8 | HB 125 - Franz | |
| 9 | HCS HB 131 - Cooper (120) | |
| 10 | HB 155 - Dusenberg | |
| 11 | HCS HB 426 - Parson | |
| 12 | HCS HB 90 - St. Onge | |
| 13 | HCS HB 364 - Ervin | |
| 14 | HCS HB 693 - Quinn (7) | |
| 15 | HCS HB 469 - Wallace | |
| 16 | HCS HB 851 - Onder | |
| 17 | HCS HB 889 - Emery | |
| 18 | HCS HB 820 - Moore | |
| 19 | HB 75 - Sutherland | |
| 20 | HCS HB 111 - Cunningham (145) | |
| 21 | HB 213 - Cunningham (86) | |
| 22 | HCS HB 448 - Spreng | |
| 23 | HCS HB 466 - Schaaf | |
| 24 | HCS HB 365, 804 & 805 - Ervin | |
| 25 | HB 579 - Dempsey | |

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- 26 HCS HB 182 - Bruns
- 27 HCS HB 338 - Tilley
- 28 HCS HB 827 - Muschany

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 262 - Nieves
- 2 HCS HB 369 - Fisher
- 3 HB 263 - Nieves
- 4 HB 625 - Dempsey
- 5 HB 526 - Pratt
- 6 HB 527 - Cooper (120)
- 7 HB 665 - Ervin

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/07)

- 1 HCS HB 135 - Pearce
- 2 HCS HB 405 - Moore
- 3 HCS HB 608 - Smith (14)
- 4 HB 732 - Parson

(3/07/07)

- 1 HB 62 - Ruestman
- 2 HB 268 - Moore
- 3 HB 467 - Cox
- 4 HB 489 - Baker (123)
- 5 HB 680 - May
- 6 HB 754 - Kelly
- 7 HB 910 - Fares

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 16 - Icet

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 40, 116 & 367, (Fiscal Review 2-27-07) - Portwood
- 2 HCS HB 636, 308 & 173, (Fiscal Review 2-28-07) - Kraus
- 3 HCS HB 620 - Muschany

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 205 - Marsh
- 2 HCS HB 272 - Viebrock
- 3 HB 319 - Villa
- 4 HB 344 - Munzlinger
- 5 HB 351 - Wood
- 6 HB 576 - Cooper (120)
- 7 HB 264 - Cunningham (86)
- 8 HCS HB 459 - Sutherland

SENATE BILLS FOR SECOND READING

- 1 SCS SB 91
- 2 SB 102
- 3 SCS SB 104
- 4 SB 130
- 5 SCS SB 163
- 6 SCS SB 226
- 7 SB 238
- 8 SB 240
- 9 SB 244
- 10 SB 406

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner

BILL IN CONFERENCE

SCS HCS HB 14 - Icet

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 7, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

We give thanks to You Lord God, for You are good and Your mercy endures forever.

Lord God, we are thankful that You remember us and strengthen us as we pray. We are thankful that You Lord, open our eyes that we may, with wisdom, see clearly the path ahead; understanding the times and seasons.

Help us, O Lord, we pray, to complete our assigned duties with integrity of heart and a clear conscience and be certain that our efforts are what is good in Your sight.

Oh, that You would bless us indeed and enlarge our vision, that Your hand would be upon all we do, and that You would keep us from error, that we may not cause harm.

Now may Your grace rest and abide with us all as we delve into the multiple tasks that are before us.

For it's in the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kathryn Leicht, Austin Carter, David Colborn, Jared Held, Christopher Gates, Adam Harkins, John Paul Harkins, Ryan Ochs, Jared Samson, Maxwell Stephens, Kayla Hess, Dakota Wood, Tawsha Creason, Hailey Stephens and Emily Yarbrough.

The Journal of the thirty-fifth day was approved as corrected.

Representative Dixon assumed the Chair.

SECOND READING OF HOUSE BILLS

HB 1054 through **HB 1071** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 91, SB 102, SCS SB 104, SB 130, SCS SB 163, SCS SB 226, SB 238, SB 240, SB 244 and **SB 406** were read the second time.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 16, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 16** was read the third time and passed by the following vote:

AYES: 153

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 004

Schaaf	Skaggs	Whorton	Yates
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PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Bruns	Cooper 155	Hubbard
Meadows				

Representative Dixon declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 221, relating to service contracts, was taken up by Representative Yates.

Representative Yates offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 221, Section 385.200, Page 2, Line 33, by deleting the word, "**or**" and inserting in lieu thereof the word, "**and**"; and

Further amend said bill, Section 385.206, Page 5, Lines 3 through 12, by deleting all of said lines and inserting in lieu thereof the following:

- "(1) **A dealer;**
- (2) **A manufacturer of motor vehicles, as defined in section 301.010, RSMo;**
- (3) **A federally insured depository institution;**
- (4) **A lender licensed and defined under sections 367.100 to 367.215, RSMo; or"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Yates, **House Amendment No. 1** was adopted.

On motion of Representative Yates, **HCS HB 221, as amended**, was adopted.

On motion of Representative Yates, **HCS HB 221, as amended**, was ordered perfected and printed.

HCS HB 458, relating to franchise tax rates, was taken up by Representative Sutherland.

Representative Harris (110) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 458, Section 147.010, Page 2, Line 33, by deleting the word, "fifteen" and inserting in lieu thereof the word, "**two**"; and

Further amend said bill, Section 147.010, Page 2, Lines 34 to 37, by deleting all of said lines and inserting in lieu thereof the words, "**(2) For tax years beginning on or after January 1, 2010, the rate shall be one-thirtieth of one percent and the threshold amount shall be four million dollars.**"; and

Further amend said bill, Section 148.064, Pages 3 to 6, Lines 1 to 109, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 458, with House Amendment No. 1, pending, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Cooper (120).

HOUSE RESOLUTIONS

Representatives Bringer and Pratt offered House Resolution No. 1036.
Representative Day offered House Resolution No. 1041.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1031 through House Resolution No. 1035
House Resolution No. 1037 through House Resolution No. 1040
House Resolution No. 1042 through House Resolution No. 1058

PERFECTION OF HOUSE BILL

HB 808, relating to the Betty L. Thompson Scholarship Program, was taken up by Representative Bearden.

Representative Cooper (158) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 808, Page 9, Section 135.719, Line 10, by inserting after all of said line the following:

"2. Notwithstanding any of the provisions of section 135.712 to 135.719, the department of elementary and secondary education shall promulgate rules to permit the issuance of a voucher from the department, drawn upon the state treasury, to be endorsed by the parent to the qualified school, on behalf of any eligible student to be used for the purposes specified in the definition of 'educational scholarships' in section 135.712."; and

Further amend said bill, page, and section, Line 11, by deleting the numeral "2" and inserting in lieu thereof the numeral "3."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (158) moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 005

Cooper 158	Davis	Funderburk	Hunter	Villa
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NOES: 154

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86

Curls	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Brown 30 Kelly Page

Representative Wallace offered **House Amendment No. 2.**

Representative Pratt raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Nasheed offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 808, Page 4, Section 135.713, Line 41, by inserting immediately after the word "**district**" the following:

", except charter schools are not eligible for such funds"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to House Bill No. 808, Page 1, Line 3 of said amendment, by inserting immediately after the word "**funds**" the following:

"; however, an eligible student attending a charter school may receive transportation or supplemental services funds through an educational assistance organization"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1 to House Amendment No. 3** was adopted by the following vote:

AYES: 094

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wasson	Wells	Weter	Wildberger	Wilson 119
Wood	Yates	Zweifel	Mr Speaker	

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Donnelly	Fallert	Frame	Franz
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Norr	Oxford
Quinn 9	Robinson	Roorda	Rucker	Ruzicka
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Vogt	Wallace	Walsh	Walton
Whorton	Wilson 130	Witte	Wright 159	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brown 30	Bruns	Curls	Kratky
Page	Wright-Jones			

House Amendment No. 3, as amended, was withdrawn.

Representative Nasheed offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Bill No. 808, Page 8, Section 135.717, Lines 1 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"135.717. 1. The department of elementary and secondary education shall conduct a study of the program as provided in this section. The department may contract with one or more qualified researchers who have previous experience evaluating school choice programs to conduct any all or any portion of the study."; and

Further amend said bill, page, and section, Line 14, by adding the words "**department of elementary and secondary education and any**" to follow the first instance of the word "**The**"; and

Further amend said bill and section, Page 9, Line 24, by deleting both instances of the words "**the researchers**" and inserting in lieu thereof the following:

"the department of elementary and secondary education and any researchers"; and

Further amend said bill and section, Page 9, Line 26, by deleting the words "**researchers**" and inserting in lieu thereof the following:

"department of elementary and secondary education"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bearden offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Bill No. 808, Page 8, Section 135.717, Line 1, by inserting immediately after the word "**research**" the following:

"in conjunction with the department of elementary and secondary education"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Muschany offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Substitute Amendment No. 1 for House Amendment No. 4 to House Bill No. 808, Page 1, Line 3 of said amendment, by adding after all of said line the following:

Further amend said bill, page, and section, Lines 3 and 4, by deleting the words "**with funds donated to the educational assistance organizations used for tuition scholarships**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Muschany, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

On motion of Representative Bearden, **House Substitute Amendment No. 1 for House Amendment No. 4, as amended**, was adopted.

Representative Bearden moved that **HB 808, as amended**, be ordered perfected and printed.

Which motion was defeated by the following vote:

AYES: 062

Bearden	Bivins	Brandom	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Deeken	Dempsey	Dixon	Dougherty	El-Amin
Emery	Ervin	Faith	Flook	Funderburk
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kratky	Lembke	Lipke	May	McGhee
Meiners	Muschany	Nieves	Nolte	Onder
Parson	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Sander	Schaaf	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Villa	Mr Speaker			

NOES: 096

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Day	Denison	Dethrow	Donnelly	Dusenberg
Fallert	Fares	Fisher	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hodges	Holsman	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Loehner	Low 39	Lowe 44	McClanahan	Meadows
Moore	Munzlinger	Nance	Nasheed	Norr
Oxford	Pearce	Pollock	Quinn 9	Robinson
Roorda	Rucker	Ruzicka	Salva	Sater
Scavuzzo	Schad	Schieffer	Schneider	Schoemehl

Shively	Skaggs	Smith 150	Spreng	Storch
Stream	Swinger	Talboy	Thomson	Todd
Viebrock	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 004

Avery Brown 30 Marsh Page

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 346 - Fiscal Review (Fiscal Note)

HB 488 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 551**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 224**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, Missouri is pleased to be home to the six-state regional Taipei Economic and Cultural Office in Kansas City; and

WHEREAS, Missouri has demonstrated its commitment to trade with Taiwan by maintaining a Trade Office in Taipei since 1990; and

WHEREAS, trade between Taiwan and the United States has increased significantly during the past decades, with the United States being Taiwan's second-largest source of imports, and Taiwan being the eighth-largest trading partner of the United States; and

WHEREAS, Taiwan ranks the fifth-largest overseas markets for United States agricultural products in general, including the third-largest buyer of United States beef and corn products, the fifth-largest buyer of United States soybean products, the eighth-largest buyer of United States wheat, and the second-largest customer of United States agricultural products worldwide in terms of per capita consumption; and

WHEREAS, the United States International Trade Commission found that, with a Taiwan-United States free trade agreement in place, United States exports to Taiwan would increase by 16%, or roughly \$3.4 billion annually, and the broader interests of the United States in the Asia-Pacific region would be served:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby support the negotiations of a Taiwan-United States free trade agreement; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for George W. Bush, President of the United States; Condoleezza Rice, United States Secretary of State; Carlos M. Gutierrez, United States Secretary of Commerce; Ambassador Susan C. Schwab, the United States Trade Representative, each member of the Missouri Congressional delegation, and the Taipei Economic and Cultural Office in Kansas City.

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 741**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 746**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 104**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 165**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 180, 396 & 615**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 238**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 360**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 546**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 686**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 780**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 788**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 875**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 339**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 135, HCS HB 405, HCS HB 608 and HB 732**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1072, introduced by Representatives Wasson, Cooper (120), Schlottach, Sutherland, May and Portwood, relating to time-shares.

HB 1073, introduced by Representatives Wood and Fisher, relating to fees and charges for water and sewer services provided by municipalities and political subdivisions.

HB 1074, introduced by Representatives Stevenson, May, Threlkeld, Portwood, Day, Hunter and Kingery, relating to initiative petition procedures.

HB 1075, introduced by Representative Cooper (120), relating to court reporters.

HB 1076, introduced by Representative Cooper (120), relating to professional licenses.

HB 1077, introduced by Representatives Bivins, Schoeller, Yaeger, Roorda and Zimmerman, relating to a tax credit for energy conservation.

HB 1078, introduced by Representatives Lampe, Daus, Baker (25), Storch, Harris (110), Spreng, Casey and Meadows, relating to identity theft.

HB 1079, introduced by Representatives Lampe, Baker (25), Storch, Page, Hodges, Casey and Meadows, relating to school attendance.

HB 1080, introduced by Representatives Lampe, Whorton, Meiners and Meadows, relating to unsecured loans.

HB 1081, introduced by Representatives Lampe, Whorton, Spreng and Meadows, relating to transfer of patients in mental health facilities.

HB 1082, introduced by Representatives Lampe, Daus, Storch, Harris (110), Schoemehl, Casey and Meadows, relating to school safety.

HB 1083, introduced by Representatives Funderburk, Davis, Wallace and Weter, relating to tax increment financing projects.

HB 1084, introduced by Representative Cooper (155), relating to chronic kidney disease task force.

HB 1085, introduced by Representatives Smith (14), Munzlinger, Schoeller, Hunter, Dougherty, Viebrock, Pollock, Wells, McGhee, Jetton, Hobbs, Schieffer, Funderburk, Ruzicka, Onder, Nolte and Franz, relating to noise ordinances.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 62 & 41**, entitled:

An act to repeal sections 563.011, 563.031, 563.036, and 563.041, RSMo, and to enact in lieu thereof four new sections relating to the use of force.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 107**, entitled:

An act to amend chapter 195, RSMo, by adding thereto one new section relating to distribution of a controlled substance near a park, with penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, March 8, 2007.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-fifth Day, Tuesday, March 6, 2007, Page 567, Line 26, by inserting immediately after said line the following:

The following member's presence was noted: Nasheed

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, March 8, 2007, 8:00 a.m. House Chamber south gallery.
Executive session.

BUDGET

Thursday, March 8, 2007, 8:15 a.m. Hearing Room 3.
Appropriation Committee reports.
Executive session may follow.

BUDGET

Friday, March 9, 2007, 8:00 a.m. Hearing Room 3.
Appropriation Committee reports.
Executive session may follow.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, March 8, 2007, 8:00 a.m. Senate Committee Room 2.
Executive session may follow.
Public hearing to be held on: SCS HCS HB 14

FISCAL REVIEW

Thursday, March 8, 2007, 8:30 a.m. Hearing Room 4.
Any other bills that may come to the Fiscal Review Committee.
Public hearings to be held on: HCS HB 636, 308 & 173, HCS HB 40, 116 & 367

HIGHER EDUCATION

Thursday, March 8, 2007, House Chamber south gallery upon morning adjournment.
Executive session.

JUDICIARY

Thursday, March 8, 2007, 9:00 a.m. Hearing Room 6.
Informational hearing only on HB 399.

LOCAL GOVERNMENT

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 464, HB 736, HB 737, HB 920, HB 937, HB 944

RULES - PURSUANT TO RULE 25(21)(f)

Monday, March 12, 2007, Hearing Room 6 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCR 11, HB 1014, HB 933, HCS HB 431, HCS#2 HB 28, HCS HB 894, HCS HB 218, HCS HB 211, HCS HB 192, HB 224, HCS HB 551, HCS HB 85

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, March 8, 2007,

Hearing Room 6, thirty (30) minutes after morning adjournment.

Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 8, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 544, HB 633, HB 815, HB 914, HB 987, HB 988, HB 1036

SPECIAL COMMITTEE ON RETIREMENT

Thursday, March 8, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 631, HB 856, HCR 32

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, March 8, 2007, 8:00 a.m. Hearing Room 4.

Executive session.

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, March 8, 2007, 8:30 a.m. House Lounge.

Executive session may follow.

Public hearings to be held on: HB 587, HB 923, HB 589

TRANSPORTATION

Thursday, March 8, 2007,

House Chamber south gallery, thirty (30) minutes after morning adjournment.

Executive session.

WAYS AND MEANS

Thursday, March 8, 2007, 8:00 a.m. Hearing Room 5.

Possible Executive session. AMENDED

Public hearings to be held on: HJR 6, HB 34, HB 65, HB 100, HB 128, HB 266, HB 662, HB 921

HOUSE CALENDAR

THIRTY-SEVENTH DAY, THURSDAY, MARCH 8, 2007

HOUSE BILLS FOR SECOND READING

HB 1072 through HB 1085

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 21 - Cooper (120)

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 458, HA 1, pending - Sutherland
- 3 HCS HB 74 - Wilson (119)
- 4 HCS HB 774 - Jones (89)
- 5 HCS HB 669 - Pearce
- 6 HB 125 - Franz
- 7 HCS HB 131 - Cooper (120)
- 8 HB 155 - Dusenberg
- 9 HCS HB 426 - Parson
- 10 HCS HB 90 - St. Onge
- 11 HCS HB 364 - Ervin
- 12 HCS HB 693 - Quinn (7)
- 13 HCS HB 469 - Wallace
- 14 HCS HB 851 - Onder
- 15 HCS HB 889 - Emery
- 16 HCS HB 820 - Moore
- 17 HB 75 - Sutherland
- 18 HCS HB 111 - Cunningham (145)
- 19 HB 213 - Cunningham (86)
- 20 HCS HB 448 - Spreng
- 21 HCS HB 466 - Schaaf
- 22 HCS HB 365, 804 & 805 - Ervin
- 23 HB 579 - Dempsey
- 24 HCS HB 182 - Bruns
- 25 HCS HB 338 - Tilley
- 26 HCS HB 827 - Muschany

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 262 - Nieves
- 2 HCS HB 369 - Fisher
- 3 HB 263 - Nieves
- 4 HB 625 - Dempsey
- 5 HB 526 - Pratt

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- 6 HB 527 - Cooper (120)
- 7 HB 665 - Ervin

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/07/07)

- 1 HB 62 - Ruestman
- 2 HB 268 - Moore
- 3 HB 467 - Cox
- 4 HB 489 - Baker (123)
- 5 HB 680 - May
- 6 HB 754 - Kelly
- 7 HB 910 - Fares

(3/08/07)

- 1 HB 875 - Franz
- 2 HB 686 - Smith (150)
- 3 HCS HB 780 - Wasson

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 40, 116 & 367, (Fiscal Review 2-27-07) - Portwood
- 2 HCS HB 636, 308 & 173, (Fiscal Review 2-28-07) - Kraus
- 3 HCS HB 620 - Muschany
- 4 HB 488, (Fiscal Review 3-07-07) - Wasson
- 5 HB 46 - Viebrock
- 6 HCS HB 346, (Fiscal Review 3-07-07) - Munzlinger
- 7 HB 220 - Stevenson
- 8 HB 166 - Hoskins
- 9 HB 255, E.C. - Bruns
- 10 HCS HB 221 - Yates

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 205 - Marsh
- 2 HCS HB 272 - Viebrock
- 3 HB 319 - Villa
- 4 HB 344 - Munzlinger
- 5 HB 351 - Wood
- 6 HB 576 - Cooper (120)
- 7 HB 264 - Cunningham (86)

- 8 HCS HB 459 - Sutherland
- 9 HCS HB 135 - Pearce
- 10 HCS HB 405, E.C. - Moore
- 11 HCS HB 608 - Smith (14)
- 12 HB 732 - Parson

SENATE BILLS FOR SECOND READING

- 1 SCS SBs 62 & 41
- 2 SB 107

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner

BILL IN CONFERENCE

SCS HCS HB 14 - Icet

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, THURSDAY, MARCH 8, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, we thank You for the sunlight, which has called us into the work of this day and for the cool air which stirs our energy. We thank You for the promise of new life spoken to us in the beginnings of green vegetation and in the sight of crocus and other spring blossoms. We praise You for Your bountiful blessings revealed to us in these wonders of nature.

Lord God, throughout the work of this day, may the vitality of spring sustain a similar energy in us. By Your creative power, bring into our minds new possibilities and new insights. As Your creativity supports the new life of spring all around us, so may the power and outcome of our work advance justice and equity throughout our state and support and protect the life of all the people.

We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Addison Rose Doyle, Elliot Meyer, Ryan Tucker, Annie Kuhn, Connor Lalumondier, Emma Luem, Keith Clark and Joel Ison.

The Journal of the thirty-sixth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1059 through House Resolution No. 1077

HOUSE CONCURRENT RESOLUTION

Representative Stevenson, et al., offered House Concurrent Resolution No. 39.

SECOND READING OF HOUSE BILLS

HB 1072 through **HB 1085** were read the second time.

SECOND READING OF SENATE BILLS

SCS SBs 62 & 41 and **SB 107** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 40, 116 & 367** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 346** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 488** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 636, 308 & 173** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 620, relating to teacher certification and mentoring, was taken up by Representative Muschany.

On motion of Representative Muschany, **HCS HB 620** was read the third time and passed by the following vote:

AYES: 097

Baker 123	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grill	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 057

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Corcoran	Curls
Darrough	Daus	Donnelly	Fallert	Frame
George	Harris 23	Harris 110	Haywood	Hodges
Holsman	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meadows	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brown 30	Chappelle-Nadal	Funderburk	Low 39
Meiners	Stevenson	Walton	Wildberger	

Speaker Pro Tem Bearden declared the bill passed.

HCS HBs 40, 116 & 367, relating to long-term care insurance, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HBs 40, 116 & 367** was read the third time and passed by the following vote:

AYES: 151

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng

St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 003

Daus	Oxford	Villa
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PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Brown 30	Chappelle-Nadal	El-Amin	Funderburk
Low 39	Meiners	Stevenson	Zimmerman	

Speaker Pro Tem Bearden declared the bill passed.

HCS HBs 636, 308 & 173, relating to a credit for military retirement, was taken up by Representative Kraus.

On motion of Representative Kraus, **HCS HBs 636, 308 & 173** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Vogt	Wallace	Walsh	Wasson	Wells

Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	

NOES: 002

Oxford	Villa
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PRESENT: 001

Fisher

ABSENT WITH LEAVE: 011

Avery	Brown 30	Chappelle-Nadal	El-Amin	Funderburk
Low 39	Meiners	Quinn 9	Stevenson	Walton
Mr Speaker				

Speaker Pro Tem Bearden declared the bill passed.

HB 488, relating to a credit for idle reduction technology, was taken up by Representative Wasson.

On motion of Representative Wasson, **HB 488** was read the third time and passed by the following vote:

AYES: 136

Aull	Baker 123	Bearden	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Day	Decken	Dempsey
Denison	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Sarnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood

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Wright 159	Yaeger	Yates	Young	Zimmerman
Mr Speaker				

NOES: 017

Baker 25	Davis	Dethrow	Donnelly	Frame
Harris 110	Hughes	Ice	Johnson	Nasheed
Norr	Skaggs	Talbot	Whorton	Wildberger
Wright-Jones	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Brown 30	Chappelle-Nadal	El-Amin	Funderburk
Hunter	Low 39	Meiners	Stevenson	Walton

Speaker Pro Tem Bearden declared the bill passed.

HB 46, relating to impoundment of animals, was taken up by Representative Viebrock.

On motion of Representative Viebrock, **HB 46** was read the third time and passed by the following vote:

AYES: 105

Aull	Baker 123	Bearden	Bivins	Bland
Brandom	Bringer	Bruns	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fisher	Flook	Franz
Grisamore	Guest	Harris 110	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kratky	Kraus	Kuessner
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Tilley	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Mr Speaker

NOES: 049

Baker 25	Brown 50	Burnett	Casey	Corcoran
Cunningham 86	Darrough	Daus	Donnelly	Fares
Frame	George	Grill	Harris 23	Haywood
Hodges	Holsman	Hughes	Johnson	Komo
Lampe	LeVota	Liese	McClanahan	Meadows
Nasheed	Norr	Oxford	Page	Roorda

Rucker	Salva	Scavuzzo	Schoemehl	Skaggs
Spreng	Storch	Talboy	Threlkeld	Todd
Villa	Vogt	Walsh	Wildberger	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bowman	Brown 30	Chappelle-Nadal	Fallert
Funderburk	Low 39	Lowe 44	Meiners	

Speaker Pro Tem Bearden declared the bill passed.

Representative Pratt assumed the Chair.

HCS HB 346, relating to agricultural development, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 346** was read the third time and passed by the following vote:

AYES: 141

Aull	Baker 25	Baker 123	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 011

Burnett	Daus	El-Amin	Hoskins	Hubbard
Hughes	Hunter	Lowe 44	Talboy	Villa
Vogt				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 010

Avery	Bearden	Brown 30	Chappelle-Nadal	Funderburk
Kratky	Low 39	Meiners	Quinn 9	Spreng

Representative Pratt declared the bill passed.

HB 220, relating to the Missouri Uniform Trust Code, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HB 220** was read the third time and passed by the following vote:

AYES: 152

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159

Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bearden	Bowman	Brown 30	Chappelle-Nadal
Funderburk	Grisamore	Kratky	Meiners	Spreng
Wasson				

Representative Pratt declared the bill passed.

HB 166, relating to write-in candidates, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 166** was read the third time and passed by the following vote:

AYES: 138

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 50	Bruns	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 011

Burnett	Frame	Holsman	Low 39	Lowe 44
Roorda	Salva	Skaggs	Talboy	Vogt
Whorton				

PRESENT: 001

Yaeger

ABSENT WITH LEAVE: 013

Avery	Baker 25	Bearden	Bland	Bowman
Brown 30	Chappelle-Nadal	Cooper 158	Funderburk	Kratky
Meiners	Spreng	Wright-Jones		

Representative Pratt declared the bill passed.

HB 255, relating to a fleet management fund, was taken up by Representative Bruns.

On motion of Representative Bruns, **HB 255** was read the third time and passed by the following vote:

AYES: 151

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones

Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bearden	Bland	Bowman	Brown 30
Chappelle-Nadal	Cooper 158	Funderburk	Hughes	Kratky
Meiners	Spreng			

Representative Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 007

Burnett	George	Holsman	Johnson	LeVota
Low 39	Talboy			

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bearden	Bland	Bowman	Brown 30
Chappelle-Nadal	Cooper 158	Funderburk	Kratky	Meiners
Spreng				

HCS HB 221, relating to service contracts, was taken up by Representative Yates.

On motion of Representative Yates, **HCS HB 221** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Moore
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Bearden	Bowman	Brown 30	Chappelle-Nadal
Cooper 158	Day	Funderburk	Hobbs	Kratky
Meiners	Munzlinger	Page	Spreng	Vogt

Representative Pratt declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 205, relating to the Tourism Supplemental Revenue Fund, was taken up by Representative Marsh.

On motion of Representative Marsh, **HB 205** was read the third time and passed by the following vote:

AYES: 138

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	George	Grill	Grisamore
Guest	Haywood	Hobbs	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 016

Burnett	Darrough	Donnelly	Flook	Harris 23
Harris 110	Hodges	Holsman	Hughes	LeVota
Low 39	Nasheed	Schieffer	Skaggs	Talboy
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bearden	Bowman	Brown 30	Chappelle-Nadal
Funderburk	Kratky	Meiners	Spreng	

Representative Pratt declared the bill passed.

HCS HB 272, relating to the official state reptile, was taken up by Representative Viebrock.

On motion of Representative Viebrock, **HCS HB 272** was read the third time and passed by the following vote:

AYES: 100

Bivins	Brandom	Brown 50	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Darrough	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Ervin	Faith	Fallert
Fares	Fisher	Franz	Grill	Grisamore
Guest	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Icet	Jones 89	Jones 117	Kelly
Kingery	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Nance
Nieves	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sater	Schaaf	Schad	Schlottach	Schneider
Schoeller	Schoemehl	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 053

Aull	Baker 25	Baker 123	Bowman	Bringer
Bruns	Burnett	Casey	Corcoran	Cox
Cunningham 86	Curls	Daus	Davis	Donnelly
Emery	Flook	George	Harris 23	Harris 110
Hodges	Holsman	Hunter	Johnson	Komo
Kraus	Kuessner	Lampe	LeVota	Muschany
Nasheed	Nolte	Norr	Oxford	Quinn 9
Roorda	Salva	Sander	Scavuzzo	Scharnhorst
Schieffer	Shively	Silvey	Skaggs	Storch
Swinger	Talboy	Todd	Walsh	Wildberger
Wright-Jones	Yaeger	Yates		

PRESENT: 001

Frame

ABSENT WITH LEAVE: 009

Avery	Bearden	Bland	Brown 30	Chappelle-Nadal
Funderburk	Kratky	Meiners	Spreng	

Representative Pratt declared the bill passed.

HB 319, relating to the St. Louis Firemen's Retirement System, was taken up by Representative Villa.

On motion of Representative Villa, **HB 319** was read the third time and passed by the following vote:

AYES: 155

Aull	Baker 25	Baker 123	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bearden	Brown 30	Chappelle-Nadal	Funderburk
Kratky	Meiners	Spreng		

Representative Pratt declared the bill passed.

HB 344, relating to field crop damage, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HB 344** was read the third time and passed by the following vote:

AYES: 143

Aull	Baker 25	Baker 123	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 009

Burnett	Flook	Harris 23	Hughes	LeVota
Roorda	Talboy	Vogt	Wildberger	

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bearden	Brown 30	Chappelle-Nadal	Funderburk
Kratky	Meiners	Norr	Schaaf	Spreng
Whorton				

Representative Pratt declared the bill passed.

HB 351, relating to the official state invertebrate, was taken up by Representative Wood.

On motion of Representative Wood, **HB 351** was read the third time and passed by the following vote:

AYES: 103

Aull	Bivins	Bland	Brandom	Brown 50
Bruns	Cooper 120	Cooper 158	Cunningham 145	Curls
Darrough	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Ervin	Faith	Fallert	Fares	Fisher
Franz	Grill	Grisamore	Guest	Haywood
Hobbs	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kelly	Kingery	Lembke	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Nance	Nieves	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 049

Baker 25	Baker 123	Bowman	Bringer	Burnett
Casey	Cooper 155	Corcoran	Cox	Cunningham 86
Daus	Davis	Donnelly	Emery	Flook
George	Harris 23	Harris 110	Hodges	Holsman
Hughes	Hunter	Johnson	Komo	Kraus
Kuessner	Lampe	LeVota	Muschany	Nasheed
Norr	Oxford	Quinn 7	Quinn 9	Roorda
Salva	Scavuzzo	Scharnhorst	Schieffer	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Walsh	Wildberger	Wright-Jones	Yates	

PRESENT: 001

Frame

ABSENT WITH LEAVE: 010

Avery	Bearden	Brown 30	Chappelle-Nadal	Funderburk
Kratky	Meiners	Nolte	Page	Spreng

Representative Pratt declared the bill passed.

HB 576, relating to the official state game bird, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HB 576** was read the third time and passed by the following vote:

AYES: 107

Bivins	Bland	Brandom	Brown 50	Bruns
Burnett	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Curls	Darrough	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Franz	Grill	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Lembke
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Nance	Nieves	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 045

Aull	Baker 25	Baker 123	Bowman	Bringer
Casey	Corcoran	Cox	Cunningham 86	Daus
Davis	Donnelly	Fallert	Flook	George
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Komo	Kraus	Kuessner	Lampe
LeVota	Lowe 44	Muschany	Nasheed	Nolte
Norr	Oxford	Quinn 9	Roorda	Scharnhorst
Schieffer	Skaggs	Storch	Swinger	Talboy
Todd	Vogt	Walsh	Wright-Jones	Yaeger

PRESENT: 001

Frame

ABSENT WITH LEAVE: 010

Avery	Bearden	Brown 30	Chappelle-Nadal	Dougherty
Funderburk	Kratky	Meiners	Spreng	Tilley

Representative Pratt declared the bill passed.

HB 264, relating to the State Public School Fund, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HB 264** was read the third time and passed by the following vote:

AYES: 126

Aull	Baker 123	Bivins	Bland	Brandom
Brown 50	Bruns	Casey	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Mr Speaker				

NOES: 023

Bowman	Bringer	Burnett	Corcoran	Curls
Daus	Donnelly	Harris 23	Holsman	Hughes
Johnson	LeVota	Liese	Low 39	Lowe 44
Nasheed	Skaggs	Talboy	Vogt	Whorton
Witte	Yaeger	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 25	Bearden	Brown 30	Chappelle-Nadal
Cooper 120	Dougherty	Funderburk	Kratky	Lembke
Meiners	Page	Spreng	Tilley	

Representative Pratt declared the bill passed.

Speaker Jetton assumed the Chair.

HCS HB 459, relating to municipal land transfers, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 459** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Bowman	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Bearden	Brown 30	Chappelle-Nadal	Dougherty
Faith	Funderburk	Kratky	Meiners	Nolte
Page	Spreng	Tilley		

Speaker Jetton declared the bill passed.

HCS HB 135, relating to military facilities and personnel, was taken up by Representative Pearce.

On motion of Representative Pearce, **HCS HB 135** was read the third time and passed by the following vote:

AYES: 150

Aull	Baker 123	Bivins	Bland	Bowman
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 25	Bearden	Brown 30	Chappelle-Nadal
Dougherty	Faith	Funderburk	Kratky	Meiners
Page	Spreng	Tilley		

Speaker Jetton declared the bill passed.

HCS HB 405, relating to the State Highway Patrol, was taken up by Representative Moore.

On motion of Representative Moore, **HCS HB 405** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 123	Bivins	Bland	Bowman
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Sarnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Daus	Hughes	LeVota	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 25	Bearden	Brown 30	Chappelle-Nadal
Dougherty	Faith	Funderburk	Kratky	Meiners
Page	Spreng	Tilley	Wasson	

Speaker Jetton declared the bill passed.

Representative Dixon assumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 131

Aull	Baker 123	Bivins	Bland	Bowman
Brandom	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Komo	Kraus
Kuessner	Lampe	Lembke	Liese	Loehner
Marsh	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zweifel
Mr Speaker				

NOES: 013

Bringer	Burnett	Daus	George	Hughes
LeVota	Low 39	Lowe 44	Skaggs	Talboy
Vogt	Young	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Baker 25	Bearden	Brown 30	Chappelle-Nadal
Cooper 158	Dougherty	Funderburk	Kingery	Kratky
Lipke	May	Meiners	Page	Robb
Robinson	Spreng	Tilley	Todd	

HCS HB 608, relating to an exemption for veteran organizations, was taken up by Representative Smith (14).

On motion of Representative Smith (14), **HCS HB 608** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 002

Daus Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bearden	Brown 30	Chappelle-Nadal	Dougherty
Funderburk	Harris 110	Kingery	Kratky	May
Meiners	Page	Robb	Robinson	Spreng
Tilley				

Representative Dixon declared the bill passed.

HB 732, relating to highway and bridge designations, was taken up by Representative Parson.

On motion of Representative Parson, **HB 732** was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 123	Bivins	Bland	Bowman
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
McClanahan	McGhee	Meadows	Moore	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Daus

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 25	Bearden	Brown 30	Chappelle-Nadal
Funderburk	Kingery	Kratky	Lembke	May
Meiners	Munzlinger	Page	Robb	Robinson
Spreng	Tilley	Wright-Jones		

Representative Dixon declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 75 and **HB 579** were placed on the Informal Calendar.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 25 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 48 - Ways and Means
HB 249 - Higher Education
HB 414 - Transportation
HB 425 - Elementary and Secondary Education
HB 440 - Special Committee on Workforce Development and Workplace Safety
HB 441 - Special Committee on Workforce Development and Workplace Safety
HB 496 - Local Government
HB 517 - Special Committee on Workforce Development and Workplace Safety
HB 539 - Special Committee on Urban Education Reform
HB 566 - Special Committee on Workforce Development and Workplace Safety
HB 629 - Special Committee on Workforce Development and Workplace Safety
HB 642 - Transportation
HB 660 - Judiciary
HB 738 - Transportation
HB 854 - Judiciary
HB 855 - Ways and Means
HB 858 - Judiciary
HB 886 - Conservation and Natural Resources
HB 888 - Special Committee on General Laws
HB 902 - Judiciary
HB 903 - Judiciary
HB 904 - Judiciary
HB 945 - Crime Prevention and Public Safety
HB 949 - Special Committee on Retirement
HB 950 - Special Committee on Retirement
HB 954 - Special Committee on Family Services
HB 965 - Special Committee on Urban Education Reform
HB 966 - Conservation and Natural Resources
HB 980 - Crime Prevention and Public Safety
HB 981 - Crime Prevention and Public Safety
HB 982 - Crime Prevention and Public Safety

HB 983 - Crime Prevention and Public Safety
HB 984 - Crime Prevention and Public Safety
HB 985 - Judiciary
HB 986 - Special Committee on Workforce Development and Workplace Safety
HB 995 - Special Committee on Job Creation and Economic Development
HB 996 - Special Committee on Workforce Development and Workplace Safety
HB 998 - Insurance Policy
HB 1000 - Ways and Means
HB 1006 - Special Committee on Retirement
HB 1021 - Judiciary
HB 1033 - Special Committee on Utilities
HB 1035 - Special Committee on Family Services
HB 1040 - Corrections and Public Institutions
HB 1044 - Elections
HB 1055 - Special Committee on Family Services
HB 1058 - Local Government

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 244**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 428**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 811**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 684**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 740**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 941**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HCS HB 215**, begs leave to report it has examined the same and recommends that **HB 215 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 699**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 987**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SS SCS SB 284**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 56**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 574**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 596**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 768**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 4, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

HB 5, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

HB 6, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2007 and ending June 30, 2008.

HB 7, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, and Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

HB 8, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

HB 9, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

HB 10, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

HB 11, introduced by Representative Icet, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

HB 12, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

HB 13, introduced by Representative Icet, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1086, introduced by Representative Day, relating to circuit court marshals.

HB 1087, introduced by Representative Portwood, relating to a tax credit for disability home remodeling.

HB 1088, introduced by Representative Pollock, relating to payment of judgments and court costs.

HB 1089, introduced by Representatives Stevenson, Ruestman, Richard, Wilson (130) and Hunter, relating to determinations of nexus for taxation purposes.

HB 1090, introduced by Representatives Cox, Jones (117), Munzlinger, Pearce, Ruzicka, Cooper (120), Pollock, Smith (150), Wilson (119), Parson, Day, Richard, Wright, Dusenberg, Self, Darrough, Roorda and Meadows, relating to business premises safety.

HB 1091, introduced by Representative Dougherty, relating to a sales tax for funding police services.

HB 1092, introduced by Representatives Baker (123) and Scavuzzo, relating to regulation of sanitary conditions.

HB 1093, introduced by Representatives Meadows, Roorda and Bruns, relating to peace officer training.

HB 1094, introduced by Representatives Donnelly, Zimmerman, Yaeger, Corcoran, Schoemehl, Low (39) and Baker (25), relating to senior citizen homestead deferral of taxes.

HB 1095, introduced by Representatives Donnelly, Robb, Zweifel, Yaeger, Storch, Curls, Low (39) and Baker (25), relating to quality rating system for child care facilities.

HB 1096, introduced by Representatives Cooper (158), Wright and Lipke, relating to the establishment of the Missouri catastrophe fund.

HB 1097, introduced by Representative Cooper (158), relating to state procurement.

HB 1098, introduced by Representative Roorda, relating to storm water user fees.

HB 1099, introduced by Representatives Oxford, Donnelly, Baker (25), Zweifel, George, Meiners, Schieffer, Lampe, Lowe (44), Storch, McClanahan, Johnson, Curls, Yaeger, Nasheed, Witte, Schoemehl, Low (39), Hubbard, Page, Burnett, Daus, Talboy, Holsman, Walsh, El-Amin, Harris (110), Brown (50), Norr, Wildberger, Bowman, Young, Harris (23), Haywood, Aull, Walton, Liese, Komo, Frame, Robinson, Fallert, Grill, Corcoran, Villa, Casey, Chappelle-Nadal, LeVota, Roorda, Dougherty, Zimmerman, Rucker, Wright-Jones, Darrough, Kratky, Hodges and Bland, relating to child care.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 67**, entitled:

An act to repeal section 210.1012, RSMo, and to enact in lieu thereof two new sections relating to missing and endangered persons, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 103**, entitled:

An act to repeal section 301.030, RSMo, and to enact in lieu thereof two new sections relating to the registration of motor vehicles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 132**, entitled:

An act to repeal section 166.021, RSMo, and to enact in lieu thereof one new section relating to the state public school fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 135**, entitled:

An act to repeal sections 173.355 and 173.385, RSMo, and to enact in lieu thereof two new sections relating to the Missouri higher education loan authority.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 156**, entitled:

An act to repeal section 414.420, RSMo, and to enact in lieu thereof one new section relating to the Missouri alternative fuels commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 158**, entitled:

An act to amend chapter 337, RSMo, by adding thereto one new section relating to licensed professional counselors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 159**, entitled:

An act to amend chapter 337, RSMo, by adding thereto two new sections relating to licensed professional counselors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 162**, entitled:

An act to repeal section 143.782, RSMo, and to enact in lieu thereof one new section relating to income tax setoffs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 171**, entitled:

An act to repeal section 621.045, RSMo, and to enact in lieu thereof one new section relating to the Missouri board for architects, professional engineers, professional land surveyors, and landscape architects.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 172**, entitled:

An act to repeal sections 86.1230 and 86.1600, RSMo, and to enact in lieu thereof two new sections relating to the police retirement system and the civilian employees' retirement system of the police department of Kansas City.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 184**, entitled:

An act to repeal sections 320.200, 320.271, 320.300, and 320.310, RSMo, and to enact in lieu thereof five new sections relating to fire protection.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 218**, entitled:

An act to repeal section 67.797, RSMo, and to enact in lieu thereof one new section relating to regional recreational districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 223**, entitled:

An act to repeal section 643.079, RSMo, and to enact in lieu thereof one new section relating to air pollution emission fees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 233**, entitled:

An act to amend chapter 67, RSMo, by adding thereto one new section relating to a county sales tax to fund certain services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 236**, entitled:

An act to amend chapter 168, RSMo, by adding thereto one new section relating to mentoring standards for education personnel.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 237**, entitled:

An act to repeal section 479.011, RSMo, and to enact in lieu thereof one new section relating to administrative adjudication of code violations, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 269**, entitled:

An act to repeal sections 44.020 and 44.024, RSMo, and to enact in lieu thereof two new sections relating to the state emergency management agency.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 270**, entitled:

An act to repeal section 590.190, RSMo, and to enact in lieu thereof one new section relating to the POST commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 271**, entitled:

An act to repeal section 105.483, RSMo, and to enact in lieu thereof one new section relating to filing financial interest statements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 272**, entitled:

An act to repeal sections 334.610 and 334.625, RSMo, and to enact in lieu thereof two new sections relating to the advisory commission for physical therapists, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 281**, entitled:

An act to repeal section 327.621, RSMo, and to enact in lieu thereof two new sections relating to landscape architect licensing.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 308**, entitled:

An act to repeal sections 345.015, 345.030, 345.045, 345.055, 346.015, 346.030, 346.035, 346.055, 346.060, and 346.110, RSMo, and to enact in lieu thereof eleven new sections relating to hearing instrument dispensing, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 325**, entitled:

An act to repeal section 376.620, RSMo, and to enact in lieu thereof one new section relating to suicide provisions in certain life insurance contracts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 376**, entitled:

An act to repeal section 620.467, RSMo, and to enact in lieu thereof one new section relating to the tourism supplemental revenue fund, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 397**, entitled:

An act to repeal section 198.018, RSMo, and to enact in lieu thereof one new section relating to applications for long-term care facilities.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, March 9, 2007.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Robin Wright-Jones, District 63, hereby state and affirm that my vote as recorded on the motion to Third Read and Pass HB 732 as recorded in the House Journal for March 8, 2007 showing that I voted "absent with leave" was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted "aye." I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of March 2007.

/s/ Robin Wright-Jones
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of March in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

BUDGET

Friday, March 9, 2007, 8:00 a.m. Hearing Room 3.

Appropriation Committee reports. Executive session may follow. CANCELLED

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 952, HB 445, HB 726, HB 687

ELECTIONS

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1044

HEALTH CARE POLICY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 803

JUDICIARY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 315, HB 399, HB 470, HB 500, HB 852, HB 853

LOCAL GOVERNMENT

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 464, HB 736, HB 737, HB 920, HB 937, HB 944

RULES - PURSUANT TO RULE 25(21)(f)

Monday, March 12, 2007, Hearing Room 6 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 11, HB 1014, HB 933, HCS HB 431, HCS#2 HB 28, HCS HB 894, HCS HB 218, HCS HB 211, HCS HB 192, HB 224, HCS HB 551, HCS HB 85, HCS SS SCS SB 284

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 13, 2007, Hearing Room 2 upon morning recess.

Possible Executive session.

Public hearings to be held on: HB 869, HB 252, HB 71

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 7.

Executive session. AMENDED

TRANSPORTATION

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 600, HB 341, HB 105, HB 167, HB 465

HOUSE CALENDAR

THIRTY-EIGHTH DAY, FRIDAY, MARCH 9, 2007

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 4 through HB 13

HOUSE BILLS FOR SECOND READING

HB 1086 through HB 1099

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 458, HA 1, pending - Sutherland
- 3 HCS HB 74 - Wilson (119)
- 4 HCS HB 774 - Jones (89)
- 5 HCS HB 669 - Pearce
- 6 HB 125 - Franz
- 7 HCS HB 131 - Cooper (120)
- 8 HB 155 - Dusenberg
- 9 HCS HB 426 - Parson
- 10 HCS HB 90 - St. Onge
- 11 HCS HB 364 - Ervin
- 12 HCS HB 693 - Quinn (7)
- 13 HCS HB 469 - Wallace
- 14 HCS HB 851 - Onder
- 15 HCS HB 889 - Emery
- 16 HCS HB 820 - Moore
- 17 HCS HB 111 - Cunningham (145)
- 18 HB 213 - Cunningham (86)
- 19 HCS HB 448 - Spreng
- 20 HCS HB 466 - Schaaf
- 21 HCS HB 365, 804 & 805 - Ervin
- 22 HCS HB 182 - Bruns
- 23 HCS HB 338 - Tilley
- 24 HCS HB 827 - Muschany
- 25 HCS HB 771 - Bearden
- 26 HCS HB 165 - Cooper (120)
- 27 HCS HB 180, 396 & 615 - Day
- 28 HCS HB 238 - Yates

- 29 HB 360 - Robb
- 30 HB 546 - Schaaf
- 31 HCS HB 788 - Cooper (155)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 262 - Nieves
- 2 HCS HB 369 - Fisher
- 3 HB 263 - Nieves
- 4 HB 625 - Dempsey
- 5 HB 526 - Pratt
- 6 HB 527 - Cooper (120)
- 7 HB 665 - Ervin
- 8 HB 75 - Sutherland
- 9 HB 579 - Dempsey

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/07/07)

- 1 HB 62 - Ruestman
- 2 HB 268 - Moore
- 3 HB 467 - Cox
- 4 HB 489 - Baker (123)
- 5 HB 680 - May
- 6 HB 754 - Kelly
- 7 HB 910 - Fares

(3/08/07)

- 1 HB 875 - Franz
- 2 HB 686 - Smith (150)
- 3 HCS HB 780 - Wasson

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 20 (3-01-07, Pages 522-524) - Guest

SENATE BILLS FOR SECOND READING

- 1 SCS SB 67
- 2 SCS SB 103
- 3 SB 132
- 4 SB 135
- 5 SCS SB 156
- 6 SB 158
- 7 SCS SB 159
- 8 SB 162
- 9 SB 171
- 10 SB 172
- 11 SB 184
- 12 SB 218
- 13 SB 223
- 14 SB 233
- 15 SB 236
- 16 SB 237
- 17 SB 269
- 18 SB 270
- 19 SB 271
- 20 SCS SB 272
- 21 SB 281
- 22 SCS SB 308
- 23 SB 325
- 24 SB 376
- 25 SCS SB 397

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner

BILL IN CONFERENCE

SCS HCS HB 14 - Icet

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, FRIDAY, MARCH 9, 2007

The House met pursuant to adjournment.

Representative Deeken in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 4 through **HB 13** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1086 through **HB 1099** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 67, SCS SB 103, SB 132, SB 135, SCS SB 156, SB 158, SCS SB 159, SB 162, SB 171, SB 172, SB 184, SB 218, SB 223, SB 233, SB 236, SB 237, SB 269, SB 270, SB 271, SCS SB 272, SB 281, SCS SB 308, SB 325, SB 376 and **SCS SB 397** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 4 - Budget
HB 5 - Budget
HB 6 - Budget
HB 7 - Budget
HB 8 - Budget
HB 9 - Budget
HB 10 - Budget
HB 11 - Budget
HB 12 - Budget
HB 13 - Budget

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 945 - Corrections and Public Institutions

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 14**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 14, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 14.
2. That the House recede from its position on House Committee Substitute for House Bill No. 14.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Bryan Stevenson
/s/ Mike Cunningham
/s/ Margaret Donnelly
/s/ Ed Wildberger

The following members' presence was noted: Frame, Meadows and Schad.

ADJOURNMENT

On motion of Representative Deeken, the House adjourned until 4:00 p.m., Monday, March 12, 2007.

COMMITTEE MEETINGS

BUDGET

Monday, March 12, 2007, Hearing Room 3 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Wednesday, March 14, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Thursday, March 15, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Friday, March 16, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 952, HB 445, HB 726, HB 687

ELECTIONS

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1044

HEALTH CARE POLICY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 803

JUDICIARY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 315, HB 399, HB 470, HB 500, HB 852, HB 853

LOCAL GOVERNMENT

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 464, HB 736, HB 737, HB 920, HB 937, HB 944

RULES - PURSUANT TO RULE 25(21)(f)

Monday, March 12, 2007, Hearing Room 6 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 11, HB 1014, HB 933, HCS HB 431, HCS#2 HB 28, HCS HB 894, HCS HB 218, HCS HB 211, HCS HB 192, HB 224, HCS HB 551, HCS HB 85, HCS SS SCS SB 284

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 13, 2007, Hearing Room 2 upon morning recess.

Possible Executive session.

Public hearings to be held on: HB 869, HB 252, HB 71

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, March 13, 2007, Hearing Room 2 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 735, HB 882, HB 887, HB 899

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 7.

Executive session. AMENDED

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Tuesday, March 13, 2007, South Gallery upon morning recess.

Executive session.

TRANSPORTATION

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 600, HB 341, HB 105, HB 167, HB 465

HOUSE CALENDAR

THIRTY-NINTH DAY, MONDAY, MARCH 12, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 458, HA 1, pending - Sutherland
- 3 HCS HB 74 - Wilson (119)
- 4 HCS HB 774 - Jones (89)
- 5 HCS HB 669 - Pearce
- 6 HB 125 - Franz
- 7 HCS HB 131 - Cooper (120)
- 8 HB 155 - Dusenberg
- 9 HCS HB 426 - Parson
- 10 HCS HB 90 - St. Onge
- 11 HCS HB 364 - Ervin
- 12 HCS HB 693 - Quinn (7)
- 13 HCS HB 469 - Wallace
- 14 HCS HB 851 - Onder
- 15 HCS HB 889 - Emery
- 16 HCS HB 820 - Moore
- 17 HCS HB 111 - Cunningham (145)
- 18 HB 213 - Cunningham (86)
- 19 HCS HB 448 - Spreng
- 20 HCS HB 466 - Schaaf
- 21 HCS HBs 365, 804 & 805 - Ervin
- 22 HCS HB 182 - Bruns
- 23 HCS HB 338 - Tilley
- 24 HCS HB 827 - Muschany
- 25 HCS HB 771 - Bearden
- 26 HCS HB 165 - Cooper (120)

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- 27 HCS HBs 180, 396 & 615 - Day
- 28 HCS HB 238 - Yates
- 29 HB 360 - Robb
- 30 HB 546 - Schaaf
- 31 HCS HB 788 - Cooper (155)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 262 - Nieves
- 2 HCS HB 369 - Fisher
- 3 HB 263 - Nieves
- 4 HB 625 - Dempsey
- 5 HB 526 - Pratt
- 6 HB 527 - Cooper (120)
- 7 HB 665 - Ervin
- 8 HB 75 - Sutherland
- 9 HB 579 - Dempsey

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/07/07)

- 1 HB 62 - Ruestman
- 2 HB 268 - Moore
- 3 HB 467 - Cox
- 4 HB 489 - Baker (123)
- 5 HB 680 - May
- 6 HB 754 - Kelly
- 7 HB 910 - Fares

(3/08/07)

- 1 HB 875 - Franz
- 2 HB 686 - Smith (150)
- 3 HCS HB 780 - Wasson

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 20, (3-01-07, Pages 522-524) - Guest

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner

BILL IN CONFERENCE

CCR SCS HCS HB 14 - Icet

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

THIRTY-NINTH DAY, MONDAY, MARCH 12, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

What can we give back to You, Lord GOD, for the blessings You have poured out on us? We simply offer the sacrifice of thanksgiving and call upon Your name. We'll finish what we promised we'd do, and we'll do it with excellence and integrity.

Lord, we don't want to let our emotions get the best of us this week, so we ask that Your peace would rise up like a mighty mediator in our heart, mind, and emotions. Help us to recognize those moments when unhelpful emotions hinder the process rather than enhance.

May Your peace be always ready at every moment to moderate every thought and emotion that may enter into our lives.

Grant us Your grace as we passionately pursue agendas that move this state in a positive direction.

Now may Your peace rest and abide with us all.

We pray these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Calvin Alumbaugh.

The Journal of the thirty-seventh day was approved as printed.

The Journal of the thirty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1078 through House Resolution No. 1095

HOUSE CONCURRENT RESOLUTION

Representative Chappelle-Nadal, et al., offered House Concurrent Resolution No. 40.

Representative Cooper (120) assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 458, with House Amendment No. 1, pending, relating to franchise tax rates, was taken up by Representative Sutherland.

Representative Sutherland offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 458, Section 147.010, Page 2, Line 28, by inserting after the words, "the annual franchise tax", the following words, **"for any corporation that pays at least 50% of their year-round, full-time employees' healthcare insurance premiums not including any employee voluntarily choosing not to participate in the corporation's insurance plan";** and

Further amend said bill, Section 147.010, Page 2, Line 37, by inserting after all of said line the following:

"For taxable years beginning on or after January 1, 2008, the annual franchise tax for any corporation that does not pay at least 50% of their year-round, full-time employees' healthcare insurance premiums shall be equal to one-thirtieth of one percent of the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed one million dollars. Any corporation whose outstanding shares and surplus do not exceed one million dollars shall state that fact on the annual report form prescribed by the director of revenue."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Sutherland, **HCS HB 458, as amended**, was adopted by the following vote:

AYES: 101

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Burnett	Cooper 120	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grill	Grisamore
Guest	Harris 23	Hobbs	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	LeVota	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Skaggs	Smith 14	Smith 150
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walton	Wasson

Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Mr Speaker				

NOES: 054

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Komo	Kuessner	Lampe
Liese	Low 39	Lowe 44	McClanahan	Meadows
Nasheed	Norr	Oxford	Quinn 9	Robinson
Roorda	Rucker	Salva	Schad	Schieffer
Schoemehl	Shively	Spreng	Storch	Swinger
Talboy	Todd	Vogt	Walsh	Whorton
Wildberger	Witte	Yaeger	Zweifel	

PRESENT: 001

St. Onge

ABSENT WITH LEAVE: 007

Brown 30	Cooper 155	Corcoran	Funderburk	Kratky
Page	Stevenson			

On motion of Representative Sutherland, **HCS HB 458, as amended**, was ordered perfected and printed.

HCS HB 74, relating to rural empowerment zones, was taken up by Representative Wilson (119).

Representative Loehner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 74, Page 2, Section 135.903, Line 18, by deleting the word "**fourteen**" and inserting in lieu thereof the word "**sixteen**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

On motion of Representative Wilson (119), **HCS HB 74, as amended**, was adopted.

On motion of Representative Wilson (119), **HCS HB 74, as amended**, was ordered perfected and printed.

HCS HB 774, relating to the disclosure of news sources, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HCS HB 774** was adopted.

On motion of Representative Jones (89), **HCS HB 774** was ordered perfected and printed.

HCS HB 669, HB 125 and HB 546 were placed on the Informal Calendar.

COMMITTEE REPORTS

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 181**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 716**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 891**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Small Business, Chairman Ervin reporting:

Mr. Speaker: Your Special Committee on Small Business, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 245**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1100, introduced by Representative Onder, relating to the federal income tax deduction.

HB 1101, introduced by Representatives Harris (23), LeVota, Roorda, Darrough, Corcoran, Hodges and Schoemehl, relating to Internet use in public schools.

HB 1102, introduced by Representatives Harris (23), LeVota, Wildberger, Page, Roorda, Darrough, Hodges and Lampe, relating to unlawful transactions with a child.

HB 1103, introduced by Representatives Hughes, Zimmerman, Nasheed, Lampe, Dougherty, Johnson, Harris (23), Walsh, Skaggs, Burnett, Villa, Bowman, Baker (25), Rucker, Silvey, El-Amin, Hoskins, Brown (50), Lowe (44), Frame, Haywood, Page, Corcoran, Jetton, Schneider, Grill, Bland, Bringer, Low (39), Storch, Holsman, Hubbard and Spreng, relating to state purchasing.

HB 1104, introduced by Representatives Hughes, El-Amin, Hoskins, Dougherty, Brown (50), Portwood, Bearden and Muschany, relating to an income tax credit for contributions to certain nonprofit organizations.

HB 1105, introduced by Representatives Hughes, Chappelle-Nadal, El-Amin, Zimmerman, Nasheed, Dougherty, Johnson, Walsh, Skaggs, Burnett, Frame, Harris (23), Villa, Bowman, Baker (25), Rucker, Silvey, Hoskins, Brown (50), Lowe (44), Haywood, Page, Corcoran, Jetton, Grill, Bland, Bringer, Low (39), Storch, Holsman, Hubbard and Spreng, relating to an economic development grant program.

HB 1106, introduced by Representatives Wright-Jones, Oxford, Daus and Nasheed, relating to the St. Louis police force.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 18**.

SENATE CONCURRENT RESOLUTION NO. 18

WHEREAS, Section 21.760 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 21.760; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 16**, entitled:

An act to repeal section 192.935, RSMo, and to enact in lieu thereof three new sections relating to vision examinations for school children.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 64**, entitled:

An act to repeal section 171.031, RSMo, and to enact in lieu thereof one new section relating to the opening date for all public schools.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 164**, entitled:

An act to repeal sections 27.040, 44.237, 91.250, 103.008, 103.178, 104.220, 104.510, 105.711, 105.1075, 108.290, 135.508, 135.520, 135.815, 143.999, 148.330, 148.380, 148.410, 191.671, 191.828, 191.831, 191.853, 192.068, 208.178, 208.437, 209.285, 209.319, 214.270, 219.091, 227.100, 256.453, 256.459, 256.465, 285.230, 287.035, 287.037, 287.123, 287.129, 287.135, 287.241, 287.280, 287.282, 287.335, 287.690, 287.710, 287.715, 287.717, 287.730, 287.892, 287.894, 287.896, 287.902, 287.920, 287.930, 287.945, 287.975, 303.025, 303.026, 303.406, 303.412, 319.131, 320.082, 324.050, 324.065, 324.128, 324.159, 324.177, 324.200, 324.203, 324.240, 324.243, 324.400, 324.406, 324.475, 324.478, 324.526, 325.010, 326.265, 326.268, 327.011, 327.051, 329.015, 329.025, 329.028, 329.210, 329.240, 330.110, 330.190, 331.100, 332.041, 332.327, 333.221, 334.123, 334.240, 334.400, 334.430, 334.625, 334.702, 334.720, 334.735, 334.749, 334.800, 334.840, 335.026, 335.036, 336.140, 336.160, 337.010, 337.050, 337.085, 337.090, 337.500, 337.535, 337.600, 337.622, 337.650, 337.700, 337.712, 337.739, 338.130, 339.120, 339.507, 340.208, 340.212, 345.035, 345.080, 346.010, 346.120, 352.505, 352.520, 353.120, 354.010, 354.050, 354.055, 354.060, 354.065, 354.085, 354.152, 354.165, 354.205, 354.240, 354.275, 354.285, 354.305, 354.325, 354.340, 354.345, 354.355, 354.400, 354.405, 354.430, 354.442, 354.443, 354.444, 354.551, 354.558, 354.560, 354.562, 354.563, 354.565, 354.600, 354.603, 354.627, 354.700, 354.703, 361.010, 361.092, 361.140, 361.160, 362.109, 362.332, 362.910, 365.080, 367.500, 370.005, 370.366, 374.010, 374.020, 374.040, 374.045, 374.070, 374.075, 374.085, 374.110, 374.115, 374.120, 374.130, 374.150, 374.160, 374.180, 374.184, 374.194, 374.202, 374.216, 374.217, 374.220, 374.245, 374.250, 374.261, 374.263, 374.267, 374.270, 374.284, 374.310, 374.400, 374.410, 374.415, 374.420, 374.426, 374.450, 374.455, 374.456, 374.500, 374.503, 374.505, 374.507, 374.700, 374.740, 374.764, 374.790, 374.800, 375.001, 375.006, 375.018, 375.031, 375.033, 375.037, 375.039, 375.041, 375.146, 375.147, 375.164, 375.176, 375.198, 375.206, 375.221, 375.231, 375.246, 375.256, 375.251, 375.261, 375.271, 375.330, 375.345, 375.350, 375.355, 375.400, 375.422, 375.430, 375.440, 375.460, 375.500, 375.510, 375.537, 375.740, 375.772, 375.788, 375.789, 375.790, 375.791, 375.811, 375.892, 375.906, 375.908, 375.911, 375.916, 375.918, 375.920, 375.922, 375.923, 375.932, 375.950, 375.954, 375.958, 375.991, 375.992, 375.993, 375.1002, 375.1025, 375.1032, 375.1035, 375.1050, 375.1080, 375.1112, 375.1152, 375.1158, 375.1160, 375.1172, 375.1176, 375.1184, 375.1186, 375.1250, 375.1269, 375.1287, 375.1300, 375.1506, 375.1524, 375.1730, 376.020, 376.050, 376.070, 376.090, 376.130, 376.142, 376.143, 376.144, 376.170, 376.210, 376.220, 376.230, 376.240, 376.290, 376.300, 376.305, 376.307, 376.311, 376.320, 376.330, 376.350, 376.360, 376.370, 376.384, 376.390, 376.397, 376.405, 376.410, 376.423, 376.426, 376.442, 376.480, 376.510,

376.600, 376.670, 376.672, 376.675, 376.679, 376.693, 376.697, 376.704, 376.718, 376.756, 376.773, 376.775, 376.777, 376.779, 376.811, 376.826, 376.836, 376.854, 376.960, 376.964, 376.1002, 376.1005, 376.1012, 376.1020, 376.1075, 376.1092, 376.1100, 376.1199, 376.1219, 376.1220, 376.1253, 376.1275, 376.1305, 376.1315, 376.1322, 376.1350, 376.1361, 376.1550, 377.020, 377.030, 377.170, 377.220, 377.230, 377.260, 377.400, 377.420, 377.430, 378.604, 379.080, 379.083, 379.160, 379.343, 379.440, 379.445, 379.450, 379.475, 379.670, 379.680, 379.690, 379.720, 379.730, 379.750, 379.770, 379.800, 379.815, 379.882, 379.888, 379.930, 380.011, 380.021, 380.051, 380.061, 380.071, 380.081, 380.091, 380.201, 380.221, 380.521, 380.611, 382.010, 383.015, 383.020, 383.025, 383.030, 383.060, 383.075, 383.100, 383.110, 384.015, 385.020, 400.008.117, 407.020, 407.1085, 407.1200, 408.233, 408.280, 427.140, 427.145, 436.005, 443.803, 447.572, 525.050, 537.740, 537.756, 620.010, 620.105, 620.106, 620.111, 620.120, 620.125, 620.127, 620.130, 620.132, 620.135, 620.140, 620.145, 620.146, 620.148, 620.149, 620.150, 620.151, 620.153, 620.154, 621.045, 660.551, 660.553, and 660.555, RSMo, and to enact in lieu thereof four hundred sixty-two new sections relating to reorganization of the department of insurance, financial and professional regulation, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 268**, entitled:

An act to repeal sections 86.254, 86.330, 86.333, and 86.337, RSMo, and to enact in lieu thereof four new sections relating to police retirement.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 456**, entitled:

An act to repeal section 163.011, RSMo, and to enact in lieu thereof two new sections relating to fine revenue for school district funding.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Page and Stevenson.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, March 13, 2007.

COMMITTEE MEETINGS

BUDGET

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Wednesday, March 14, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Thursday, March 15, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Friday, March 16, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 14, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 647, HB 886, HB 966

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 952, HB 445, HB 726, HB 687

ELECTIONS

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1044

HEALTH CARE POLICY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 803

HIGHER EDUCATION

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 532, HB 249

JUDICIARY

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 315, HB 399, HB 470, HB 500, HB 852, HB 853

LOCAL GOVERNMENT

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 464, HB 736, HB 737, HB 920, HB 937, HB 944

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 13, 2007, Hearing Room 2 upon morning recess.

Possible Executive session.

Public hearings to be held on: HB 869, HB 252, HB 71

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, March 14, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 934, HB 935, HB 936, HB 954

SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS

Wednesday, March 14, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 329

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, March 14, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 190, HB 719

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, March 13, 2007, Hearing Room 2 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 735, HB 882, HB 887, HB 899

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 5.

Executive session will follow.

Public hearings to be held on: HB 696, HB 802

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 13, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 588

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 7.

Executive session. AMENDED

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Tuesday, March 13, 2007, South Gallery upon morning recess.

Executive session.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, March 14, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 689

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, March 13, 2007, Hearing Room 7 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 124, HB 258

SPECIAL COMMITTEE ON UTILITIES

Wednesday, March 14, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 112, HB 26, HB 78, HB 79,
HB 154, HB 37, HB 97, HB 1033

SPECIAL COMMITTEE ON VETERANS

Tuesday, March 13, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 717, HB 938, HB 306

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 14, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 629

TRANSPORTATION

Tuesday, March 13, 2007, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 600, HB 341, HB 105, HB 167, HB 465

HOUSE CALENDAR

FORTIETH DAY, TUESDAY, MARCH 13, 2007

HOUSE BILLS FOR SECOND READING

HB 1100 through HB 1106

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 131 - Cooper (120)
- 3 HB 155 - Dusenberg
- 4 HCS HB 426 - Parson
- 5 HCS HB 90 - St. Onge
- 6 HCS HB 364 - Ervin
- 7 HCS HB 693 - Quinn (7)
- 8 HCS HB 469 - Wallace
- 9 HCS HB 851 - Onder
- 10 HCS HB 889 - Emery
- 11 HCS HB 820 - Moore
- 12 HCS HB 111 - Cunningham (145)
- 13 HB 213 - Cunningham (86)
- 14 HCS HB 448 - Spreng
- 15 HCS HB 466 - Schaaf
- 16 HCS HBs 365, 804 & 805 - Ervin
- 17 HCS HB 182 - Bruns
- 18 HCS HB 338 - Tilley
- 19 HCS HB 827 - Muschany
- 20 HCS HB 771 - Bearden
- 21 HCS HB 165 - Cooper (120)
- 22 HCS HBs 180, 396 & 615 - Day
- 23 HCS HB 238 - Yates
- 24 HB 360 - Robb
- 25 HCS HB 788 - Cooper (155)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 263 - Nieves
- 2 HB 625 - Dempsey
- 3 HB 526 - Pratt
- 4 HB 527 - Cooper (120)
- 5 HB 665 - Ervin
- 6 HB 75 - Sutherland
- 7 HB 579 - Dempsey
- 8 HCS HB 669 - Pearce
- 9 HB 125 - Franz
- 10 HB 546 - Schaaf

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/07/07)

- 1 HB 62 - Ruestman
- 2 HB 268 - Moore
- 3 HB 467 - Cox
- 4 HB 489 - Baker (123)
- 5 HB 680 - May
- 6 HB 754 - Kelly
- 7 HB 910 - Fares

(3/08/07)

- 1 HB 875 - Franz
- 2 HB 686 - Smith (150)
- 3 HCS HB 780 - Wasson

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 20, (03-01-07, Pages 522-524) - Guest

SENATE BILLS FOR SECOND READING

- 1 SCS SB 16
- 2 SCS SB 64
- 3 SB 164
- 4 SB 268
- 5 SCS SB 456

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner

SENATE BILL FOR THIRD READING

SCS SB 339 - Fisher

BILL IN CONFERENCE

CCR SCS HCS HB 14 - Icet

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTIETH DAY, TUESDAY, MARCH 13, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, there are many hearings these days and many documents to read. We remember the wisdom of Jesus, "They who have ears to hear, let them hear." (*Adapted from Matthew 11:15*)

Yes, Almighty God, help us hear and assimilate all that is being said to us. Help us to hear deeply that we might comprehend the importance of the various issues. Bless us with the wisdom and understanding to recognize Your word when it is spoken by the human voice or the written word before us.

We ask for the gift of right judgment that we might give appropriate priority to the various needs presented to us. May the outcome of our work be the equity and justice that is in harmony with Your will, because You are God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Halle Alexandria Edythe Hunter, Brandon Rupp, Jacquelyn Maggard and Steven Bulback.

The Journal of the thirty-ninth day was approved as printed.

SPECIAL RECOGNITION

Janet T. Barrett, 2005 Ms. Senior Missouri, was introduced by Representative Icet and recognized as an Outstanding Missourian.

Representative Bruns assumed the Chair.

SECOND READING OF HOUSE BILLS

HB 1100 through **HB 1106** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 16, **SCS SB 64**, **SB 164**, **SB 268** and **SCS SB 456** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 426, relating to propane safety, was taken up by Representative Parson.

On motion of Representative Parson, **HCS HB 426** was adopted.

On motion of Representative Parson, **HCS HB 426** was ordered perfected and printed.

HCS HB 693, relating to veterinary student loan assistance, was taken up by Representative Quinn (7).

Representative Nieves assumed the Chair.

Representative Burnett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 693, Page, 2, Section 340.337, Line 28, by deleting the word "one" and inserting instead the word "three"; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hughes	Komo	Kraus
Kuessner	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Salva	Scavuzzo
Schoemehl	Shively	Skaggs	Spreng	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Wright-Jones	Yaeger	Zimmerman
Zweifel				

NOES: 100

Avery	Baker 123	Bearden	Bivins	Bowman
Brandom	Bruns	Chappelle-Nadal	Cooper 120	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Lampe	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger

Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Young	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Cooper 155	Corcoran	Funderburk	Kratky
St. Onge	Yates			

On motion of Representative Quinn (7), **HCS HB 693** was adopted.

On motion of Representative Quinn (7), **HCS HB 693** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 85**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 192**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 211**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 218**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 224**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 431**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 551**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 894**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 933**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1014**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 284**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR

MARCH 13, 2007

SENATE BILL FOR THIRD READING

HCS SS SCS SB 284, E.C. - Dempsey

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Blaine Fisher, Caitlin Vaughan, Emily Franks and Anna Sutherland.

SPECIAL RECOGNITION

Dr. Judith Ann Dasovich and Dr. Janie Keesling Vestal were introduced by Representative Lampe and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1096 through House Resolution No. 1204

HOUSE CONCURRENT RESOLUTION

Representative Baker (25), et al., offered House Concurrent Resolution No. 41.

Representative Pratt assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

BILL IN CONFERENCE

CCR SCS HCS HB 14, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 14** was adopted by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kingery	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 009

Harris 23	Haywood	Lembke	Low 39	Lowe 44
Oxford	Talboy	Vogt	Whorton	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Cooper 120	Cooper 155	Corcoran	Funderburk
Kelly	Kratky	Marsh	St. Onge	

On motion of Representative Icet, **CCS SCS HCS HB 14** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 008

Harris 23	Low 39	Lowe 44	Oxford	Talboy
Vogt	Walsh	Whorton		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Cooper 120	Cooper 155	Corcoran	Funderburk
Kratky	Lembke	Marsh	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 469, relating to school safety and liability, was taken up by Representative Wallace.

Representative Bringer offered **House Amendment No. 1.***House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 469, Page 19, Section 167.630, Line 13, by inserting immediately after said line the following:

"168.133. 1. The school district shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district shall also ensure that a criminal background check is conducted for school bus drivers. The district may allow such drivers to operate buses pending the result of the criminal background check. For bus drivers, the background check shall be conducted on drivers employed by the school district or employed by a pupil transportation company under contract with the school district.

2. In order to facilitate the criminal history background check on any person employed after January 1, 2005, the applicant shall submit two sets of fingerprints collected pursuant to standards determined by the Missouri highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the family care safety registry pursuant to sections 210.900 to 210.936, RSMo, and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

3. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

4. The school district may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530, RSMo.

5. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

6. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

7. For any teacher who is employed by a school district on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district from requiring additional background checks for such teachers employed by the school district.

8. A criminal background check and fingerprint collection conducted under subsections 1 and 2 of this section shall be valid for a period of one year and transferrable from one school district to another district. A teacher's change in type of certification shall have no effect on the transferability of such records.

9. Nothing in this section shall be construed to alter the standards for suspension, denial, or revocation of a certificate issued pursuant to this chapter.

[9.] 10. The state board of education may promulgate rules for criminal history background checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 1** was adopted.

Representative Baker (123) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 469, Page 23, Section 475.060, Line 32, by inserting after all of said line the following:

"Section 1. School districts shall provide education free from legal, political, and administrative intimidation, harassment, or constraint. No public elementary or secondary school teacher shall be refused employment, disciplined, denied advancement, transferred, or otherwise discriminated against for using a critical analysis in teaching."; and

Further amend said title, enacting clause and intersectional references accordingly.

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Baker (123), **House Amendment No. 2** was adopted.

Representative Burnett offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 469, Page 9, Section 162.215, Lines 1-15, by deleting said section from the bill; and

Further amend said bill by amending the title, enacting clause and intersectional accordingly.

Representative Burnett moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Burnett offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 469, Page 12, Section 167.029, Lines 1-5, by deleting said section from the bill; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 013

Brown 50	Burnett	Haywood	Hughes	Johnson
Liese	Low 39	Lowe 44	Page	Talboy
Whorton	Young	Zimmerman		

NOES: 138

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Bruns	Casey	Chappelle-Nadal	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Lipke	Loehner	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 30	Cooper 120	Cooper 155	Corcoran	Curls
Dougherty	El-Amin	Funderburk	Kratky	Marsh
Meadows	St. Onge			

Representative Baker (123), having voted on the prevailing side, moved that the vote by which **House Amendment No. 2** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Bowman	Brandom	Bringer	Bruns

Burnett	Casey	Chappelle-Nadal	Cooper 158	Cox
Cunningham 145	Curls	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 008

Bearden	Cunningham 86	Davis	Hodges	Hughes
Muschany	Skaggs	Stevenson		

PRESENT: 004

Brown 50	Darrough	Holsman	Low 39
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ABSENT WITH LEAVE: 009

Brown 30	Cooper 120	Cooper 155	Corcoran	Dougherty
Funderburk	Kratky	Marsh	St. Onge	

House Amendment No. 2 was withdrawn.

On motion of Representative Wallace, **HCS HB 469, as amended**, was adopted.

On motion of Representative Wallace, **HCS HB 469, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 526, relating to the Administrative Hearing Commission, was taken up by Representative Pratt.

Representative Nieves resumed the Chair.

Representative Roorda offered **House Amendment No. 1**.

Representative Pratt raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Pratt, **HB 526** was ordered perfected and printed.

HB 665, relating to the preservation of county documents, was taken up by Representative Ervin.

Representative Bringer offered **House Amendment No. 1**.

Representative Flook raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Ervin, **HB 665** was ordered perfected and printed.

HB 75, relating to park services, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HB 75** was ordered perfected and printed.

HB 125, relating to tax collections, was taken up by Representative Franz.

Representative Bringer offered **House Amendment No. 1**.

Representative Muschany raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Franz, **HB 125** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 74 - Fiscal Review (Fiscal Note)

HCS HB 458 - Fiscal Review (Fiscal Note)

HB 161 - Special Committee on Urban Issues

COMMITTEE REPORTS

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 495**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 77**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 261**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Government Affairs, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 487**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 616**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Homeland Security, Chairman Dusenberg reporting:

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **HB 482**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **HB 619** and **HB 118**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 914**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Rural Community Development, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 624**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on State Parks and Waterways, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HB 752**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 807** and **HB 690**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 801**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 457**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 62**, **HB 268**, **HB 467**, **HB 489**, **HB 680**, **HB 754** and **HB 910**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1107, introduced by Representatives Fallert, Frame, Robinson, Roorda, Komo, Meadows, Kuessner, Quinn (9), Todd, Shively, Walsh, Casey and George, relating to the Missouri Rx plan.

HB 1108, introduced by Representative Pratt, relating to the crime of endangering the welfare of a child.

HB 1109, introduced by Representative Bringer, relating to failure to pay for nursing home care.

HB 1110, introduced by Representatives Baker (25), Roorda, Wildberger, Daus, Lampe and Nasheed, relating to a sales tax for farmland preservation.

HB 1111, introduced by Representatives Baker (25), Storch, Whorton and Meiners, relating to a tax credit for constructing universal design homes.

HB 1112, introduced by Representative Meiners, relating to mobility motor vehicle dealers.

HB 1113, introduced by Representatives Wright-Jones, Villa, Fares and St. Onge, relating to a public transit sales tax.

HB 1114, introduced by Representatives Baker (25), Brown (50), Nasheed, Darrough, Lampe, Kuessner, Aull, Page, Wildberger, Schaaf, Skaggs, Low (39), McClanahan and Holsman, relating to telehealth.

HB 1115, introduced by Representatives Burnett, Brown (50), Hughes, Skaggs, Flook and Talboy, relating to cancellation of online banking services.

HB 1116, introduced by Representative Flook, relating to tax increment financing definitions.

HB 1117, introduced by Representatives Wright-Jones, Lowe (44), Oxford, Meadows, Bowman, Bland, Nasheed, Haywood and Curls, relating to motor vehicle inspections.

HB 1118, introduced by Representatives Wright-Jones, Lowe (44), Oxford, Meiners, Meadows, Dougherty, Daus, Bowman, Haywood, Bland, Baker (25) and Curls, relating to motor vehicle window stickers.

HB 1119, introduced by Representatives Wright-Jones, Lowe (44), Oxford, Meiners, Meadows, Lampe, Daus, Page, Bland, Bowman, Haywood, Baker (25) and Curls, relating to identity theft protection.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 14**, and has taken up and passed **CCS SCS HCS HB 14**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 166**, entitled:

An act to repeal section 407.610, RSMo, and to enact in lieu thereof one new section relating to time-shares.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 299**, entitled:

An act to repeal section 311.178, RSMo, and to enact in lieu thereof one new section relating to special liquor permits for resorts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 323**, entitled:

An act to repeal section 210.861, RSMo, and to enact in lieu thereof one new section relating to the community children's services fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 334**, entitled:

An act to repeal section 407.400, RSMo, and to enact in lieu thereof two new sections relating to brand extensions for beer products.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 345**, entitled:

An act to amend chapter 137, RSMo, by adding thereto one new section relating to a county property tax for cemetery maintenance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 352**, entitled:

An act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 360**, entitled:

An act to repeal section 78.610, RSMo, and to enact in lieu thereof one new section relating to city managers, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 395**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to a memorial highway designation.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Wednesday, March 14, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, March 15, 2007, 8:00 a.m. Hearing Room 6.
Executive session.

BUDGET

Wednesday, March 14, 2007, 8:15 a.m. Hearing Room 3.
Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6,
HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Thursday, March 15, 2007, 8:15 a.m. Hearing Room 3.
Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6,
HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Friday, March 16, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 14, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 647, HB 886, HB 966

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 14, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 945

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 14, 2007, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 580, HB 425, HB 824

FISCAL REVIEW

Thursday, March 15, 2007, 8:30 a.m. Hearing Room 2-A.

Any other bills that may come to the Fiscal Review Committee.

Public hearing to be held on: HCS HB 74

JUDICIARY

Thursday, March 15, 2007, South Gallery upon morning adjournment.

Executive session only.

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, March 14, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 934, HB 935, HB 936, HB 954

SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS

Wednesday, March 14, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 329

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, March 14, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 190, HB 719

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 14, 2007, 9:45 a.m. House Chamber south gallery.

Executive session will be held on: HB 298, HB 497

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 15, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 350, HB 413, HB 657, HB 794

SPECIAL COMMITTEE ON RETIREMENT

Thursday, March 15, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 626, HB 949, HB 950, HB 1006

SPECIAL COMMITTEE ON SMALL BUSINESS

Wednesday, March 14, 2007, House Chamber south gallery upon afternoon adjournment.

Executive session to be held. AMENDED

Executive session will be held on: HB 490

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, March 14, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 689

SPECIAL COMMITTEE ON UTILITIES

Wednesday, March 14, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 112, HB 26, HB 78, HB 79, HB 154, HB 37, HB 97, HB 1033

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 14, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 629

WAYS AND MEANS

Thursday, March 15, 2007, 8:30 a.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HB 76, HB 270, HB 456, HB 1000

HOUSE CALENDAR

FORTY-FIRST DAY, WEDNESDAY, MARCH 14, 2007

HOUSE BILLS FOR SECOND READING

HB 1107 through HB 1119

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 131 - Cooper (120)
- 3 HB 155 - Dusenberg
- 4 HCS HB 90 - St. Onge
- 5 HCS HB 364 - Ervin
- 6 HCS HB 851 - Onder
- 7 HCS HB 889 - Emery
- 8 HCS HB 820 - Moore
- 9 HCS HB 111 - Cunningham (145)
- 10 HB 213 - Cunningham (86)
- 11 HCS HB 448 - Spreng
- 12 HCS HB 466 - Schaaf
- 13 HCS HB 365, 804 & 805 - Ervin
- 14 HCS HB 182 - Bruns
- 15 HCS HB 338 - Tilley
- 16 HCS HB 827 - Muschany
- 17 HCS HB 771 - Bearden
- 18 HCS HB 165 - Cooper (120)
- 19 HCS HB 180, 396 & 615 - Day
- 20 HCS HB 238 - Yates
- 21 HB 360 - Robb
- 22 HCS HB 788 - Cooper (155)
- 23 HCS#2 HB 28 - Cunningham (86)
- 24 HCS HB 431 - Pratt
- 25 HCS HB 894 - Hoskins
- 26 HCS HB 551 - Dempsey
- 27 HCS HB 218 - Stevenson
- 28 HB 224 - Franz
- 29 HCS HB 104 - Meiners

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 263 - Nieves
- 2 HB 625 - Dempsey
- 3 HB 527 - Cooper (120)
- 4 HB 579 - Dempsey
- 5 HCS HB 669 - Pearce
- 6 HB 546 - Schaaf

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/08/07)

- 1 HB 875 - Franz
- 2 HB 686 - Smith (150)
- 3 HCS HB 780 - Wasson

(3/14/07)

- 1 HB 933 - Grill
- 2 HB 1014 - Wright

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 20, (03-01-07, Pages 522-524) - Guest

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 458, (Fiscal Review 3-13-07) - Sutherland
- 2 HCS HB 74, (Fiscal Review 3-13-07) - Wilson (119)
- 3 HCS HB 774 - Jones (89)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 62 - Ruestman
- 2 HB 268 - Moore
- 3 HB 467, E.C. - Cox
- 4 HB 489 - Baker (123)
- 5 HB 680 - May
- 6 HB 754 - Kelly
- 7 HB 910 - Fares

SENATE BILLS FOR SECOND READING

- 1 SB 166
- 2 SCS SB 299
- 3 SB 323
- 4 SB 334
- 5 SB 345
- 6 SB 352
- 7 SCS SB 360
- 8 SB 395

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin

SENATE BILLS FOR THIRD READING

- 1 SCS SB 339 - Fisher
- 2 HCS SS SCS SB 284, E.C. - Dempsey

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-FIRST DAY, WEDNESDAY, MARCH 14, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

You Lord, are God, Who has showered us with grace, freedom, and joy. You are our God, and we give thanks to You and exalt You. We give thanks to You Lord, for You are good; Your mercy endures forever.

Grant us that mercy as You help us to develop an unwavering attitude that refuses to surrender to hardship, criticism, difficulty or pressure.

Open our understanding to see the wonderful truths You've revealed to us. Your Word is our counselor and our delight. Grant us wisdom and understanding well beyond our natural knowledge and years of experience. We pursue it daily.

Now may You, the God of hope, fill us with all joy and peace in believing, so that we would abound in hope by the power of Your Spirit.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lydia Choi, Gregory Adams, Arthur Guimaraes, Iwona Dabrowska, Alex Buschjost, Brody Buschjost, Danni Coates, Lydia Dorenbusch, Aaron Johnson, Airshay Lampkin, Rachel Williams and Madi Camp.

The Journal of the fortieth day was approved as printed.

SPECIAL RECOGNITION

Franklin County Sheriff Gary Toelke was introduced by Representatives Nieves, Harris (110), Schlottach and Threlkeld and recognized as an Outstanding Missourian.

Gayle M. Helterbrand was introduced by Representative Wells and recognized as the Missouri State Checker Champion.

SECOND READING OF HOUSE BILLS

HB 1107 through **HB 1119** were read the second time.

SECOND READING OF SENATE BILLS

SB 166, SCS SB 299, SB 323, SB 334, SB 345, SB 352, SCS SB 360 and SB 395 were read the second time.

Representative Pearce assumed the Chair.

THIRD READING OF SENATE BILL

SCS SB 339, relating to the Fairness in Public Construction Act, was taken up by Representative Fisher.

On motion of Representative Fisher, **SCS SB 339** was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 007

Burnett	Frame	Hughes	LeVota	Talboy
Vogt	Walsh			

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 30	Cooper 155	Corcoran	Funderburk	Kratky
Kuessner	Marsh	Page	Schneider	St. Onge
Sutherland				

Representative Pearce declared the bill passed.

PERFECTION OF HOUSE BILL

HB 155, relating to motorcycle helmets, was taken up by Representative Dusenberg.

Representative Schaaf offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 155, Section 302.020, Page 2, Line 21, by inserting after all of said line the following:

"After August 28, 2007, no state money shall be used to pay for the medical care of injuries incurred by riders operating or riding on a motorcycle or motortricycle in accidents in which they were not wearing protective headgear."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Page offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1 *to* *House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 155, Page 1, Section 1, Line 6, by inserting after the word "headgear" the following:

"and talking on a cellular phone".

Representative Dusenberg raised a point of order that **House Amendment No. 1 to House Amendment No. 1** goes beyond the scope of the bill.

Representative Pearce requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

HB 155, with House Amendment No. 1 to House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelvyn Castorina and Karysa Walker.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1205 through House Resolution No. 1305

HOUSE CONCURRENT RESOLUTIONS

Representative Low (39), et al., offered House Concurrent Resolution No. 42.

Representative Page, et al., offered House Concurrent Resolution No. 43.

THIRD READING OF SENATE BILL

HCS SS SCS SB 284, relating to video service regulations, was taken up by Representative Dempsey.

Representative Emery offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Section 67.2692, Page 11, Line 53, by inserting after all of said line the following:

"(d) A video service provider shall not cancel an appointment with a customer after the close of business on the business day prior to the scheduled appointment;"; and

Further amend said section, Page 11, Line 54, by deleting from said line the subdivision indicator **"(d)"** and inserting in lieu thereof the indicator **"(e)"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 1** was adopted.

Representative Pratt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Page 18, Section 67.2711, Line 6, by inserting after all of said line the following:

"67.2713. Notwithstanding the provisions of section 1.140, RSMo, to the contrary, the provisions of sections 67.2675 to 67.2714 shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of sections 67.2675 to 67.2714."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Hughes raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Talboy offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

Representative Pratt moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Harris (23) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Section 67.2683, Page 7, Line 1, by inserting after the reference number "**67.2683**" on said line the subsection number "**1.**"; and

Further amend said section, Page 7, Line 5, by inserting after all of said line the following:

"2. A video service provider shall comply with the Federal Cable Act by offering a basic service tier composed of the required number of local broadcast and PEG channels. All other channels shall be offered on an a la carte basis. Nothing in this section shall prevent a video service provider from offering tiers of service encompassing any or all channels offered on an a la carte basis."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris (23) moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Aull offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Section 67.2714, Page 22, Line 3, by inserting after all of said line the following:

"[1] 1. The general assembly finds and declares that it is in the public interest to establish the "Rural Economic Development Broadband Expansion Fund" for the purpose of funding grants to broadband services to unserved areas of this state and providing funds to expand technology services for public institutions within local political subdivisions and school districts. This fund is hereby created in the state treasury and it shall consist of money collected pursuant to subsection 4 of this section. The fund shall be administered by the department of economic development. Upon appropriation, money in the fund shall be used solely for the purposes and administration of this section.

2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any monies remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest monies in the fund in the same manner as other funds are invested. Any interest and monies earned on such investments shall be credited to the fund.

4. A surcharge of five percent of the basic rate paid or charged for all sales of direct broadcast satellite services shall be deposited into the Rural Economic Development Broadband Expansion Fund.

5. The proceeds of any surcharge assessed under subsection 4 of this section shall be utilized as follows:

(1) Sixty percent of all monies in the fund shall be utilized exclusively to finance the provision of broadband services to unserved areas.

(2) Forty percent of all monies in the fund shall be utilized exclusively to finance technology services to public institutions to satisfy the needs of local political subdivisions to include police, fire, and school facilities.

(3) Proceeds shall be distributed to political subdivisions other than counties in the proportion that the population of each bears to the aggregate population of the state, and to political subdivisions that are counties in the proportion that the unincorporated areas of the county bears to the aggregate population of the state. Population shall be determined according to the most recent federal census or any other census authorized by law.

6. The department of economic development shall promulgate rules for the enforcement of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Witte offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Section 67.2692, Page 11, Line 75, by deleting the word "**and**" and inserting in lieu thereof the word "**or**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Witte moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 031

Aull	Baker 25	Bowman	Bringer	Burnett
Chappelle-Nadal	Darrough	Donnelly	Grill	Harris 23
Hodges	Holsman	Hughes	Johnson	LeVota
Low 39	McGhee	Nasheed	Oxford	Page
Quinn 9	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Wildberger	Witte	Zimmerman
Zweifel				

NOES: 116

Avery	Baker 123	Bearden	Bivins	Bland
Brandom	Brown 50	Casey	Cooper 120	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hoskins	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McClanahan	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Parson	Pearce	Pollock	Pratt

Quinn 7	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Silvey	Smith 14	Smith 150	Spreng	Stevenson
Stream	Thomson	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young				

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 015

Brown 30	Bruns	Cooper 155	Corcoran	Dougherty
El-Amin	Funderburk	Hubbard	Kratky	Kuessner
Portwood	Richard	St. Onge	Sutherland	Mr Speaker

Representative Oxford offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Section 67.2679, Page 6, Line 67, by deleting from said line the word "and" and inserting in lieu thereof the following:

"(6) That the video service provider has filed with the public service commission a buildout schedule showing how it will comply with the buildout requirements of this act including the requirements of section 67.2705; and"; and

Further amend said section, Page 6, Line 68, by deleting from said line the subdivision indicator **"(6)"** and inserting in lieu thereof the subdivision indicator **"(7)"**; and

Further amend said bill, Section 67.2705, Page 16, Line 15, by deleting from said line the phrase **"twenty-five"** and inserting in lieu thereof the phrase **"forty"**; and

Further amend said section, Page 16, Line 17, by deleting from said line the phrase **"fifty percent"** and inserting in lieu thereof the phrase **"eighty percent"**; and

Further amend said section, Page 16, Lines 18 through 21, by deleting all of said lines and inserting in lieu thereof the following:

"households within six years."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Harris (23) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 284, Section 67.2679, Page 6, Line 67, by deleting from said line the word "**and**"; and

Further amend said section, Page 6, Line 69, by deleting from said line the phrase "**service.**" and inserting in lieu thereof the following:

" **service; and**

(7) The name, address, phone numbers, and email of the video service provider contact or contacts who are authorized to handle and resolve complaints or disputes raised by citizens, subscribers, or political subdivisions. The video service provider shall notify the public service commission and political subdivisions in writing whenever a designated contact is changed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris (23) moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 039

Aull	Baker 25	Bringer	Burnett	Darrough
Daus	Davis	Donnelly	Flook	Grill
Harris 23	Harris 110	Hodges	Holsman	Hughes
LeVota	Liese	Low 39	Lowe 44	McClanahan
Nasheed	Norr	Oxford	Page	Quinn 9
Rucker	Scavuzzo	Schieffer	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Vogt
Wildberger	Witte	Zimmerman	Zweifel	

NOES: 108

Avery	Baker 123	Bearden	Bivins	Bland
Bowman	Brandom	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	George	Grisamore	Guest	Haywood
Hobbs	Hoskins	Hubbard	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	Lipke	Loehner
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Smith 14	Smith 150	Spreng	Stevenson	Stream
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young		

PRESENT: 002

Brown 50 Whorton

ABSENT WITH LEAVE: 014

Brown 30	Bruns	Cooper 155	Corcoran	Dougherty
Funderburk	Hunter	Kratky	Kuessner	Richard
St. Onge	Sutherland	Walsh	Mr Speaker	

On motion of Representative Dempsey, **HCS SS SCS SB 284, as amended**, was adopted.

On motion of Representative Dempsey, **HCS SS SCS SB 284, as amended**, was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Curls	Darrough
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
Storch	Stream	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

NOES: 004

Flook	Harris 23	Oxford	Robinson
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PRESENT: 003

Cunningham 86	Davis	Whorton
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ABSENT WITH LEAVE: 013

Brown 30	Bruns	Cooper 155	Corcoran	Dougherty
El-Amin	Funderburk	Kratky	Kuessner	St. Onge
Sutherland	Walton	Mr Speaker		

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 026

Bowman	Brown 50	Casey	Darrough	El-Amin
Frame	Haywood	Hubbard	Hughes	Komo
Kraus	Liese	Lowe 44	Meadows	Meiners
Nasheed	Portwood	Pratt	Schieffer	Skaggs
Spreng	Swinger	Todd	Vogt	Wright-Jones
Yates				

NOES: 124

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Burnett
Chappelle-Nadal	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Lampe	Lembke	LeVota
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Quinn 7	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
Storch	Stream	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 012

Brown 30	Bruns	Cooper 155	Corcoran	Dougherty
Funderburk	Kratky	Kuessner	Quinn 9	St. Onge
Sutherland	Mr Speaker			

PERFECTION OF HOUSE BILLS

HB 155, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, relating to motorcycle helmets, was again taken up by Representative Dusenberg.

Representative Page moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 031

Baker 25	Bivins	Brown 50	Cooper 158	Darrough
Daus	Davis	El-Amin	Fares	Harris 23
Hoskins	Hughes	Johnson	Liese	Muschany
Nasheed	Onder	Page	Schaaf	Schneider
Schoeller	Schoemehl	Smith 14	Spreng	Storch
Threlkeld	Villa	Vogt	Walsh	Walton
Wright-Jones				

NOES: 119

Aull	Avery	Baker 123	Bearden	Bland
Bowman	Brandom	Bringer	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cox	Cunningham 145	Cunningham 86
Curls	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fallert	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nieves	Nolte	Norr	Oxford
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Self	Shively	Silvey	Skaggs
Smith 150	Stevenson	Stream	Swinger	Talboy
Thomson	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 30	Bruns	Cooper 155	Corcoran	Dougherty
Funderburk	Kratky	Kuessner	Richard	St. Onge
Sutherland	Tilley	Mr Speaker		

Representative Schaaf moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 027

Bearden	Bivins	Cooper 158	Cunningham 86	Daus
Fares	Hoskins	Ice	Jones 89	Lipke
May	Muschany	Nasheed	Onder	Parson
Pollock	Roorda	Schaaf	Schlottach	Schneider
Schoeller	Smith 14	Smith 150	Stevenson	Threlkeld
Wallace	Weter			

NOES: 122

Aull	Avery	Baker 123	Bowman	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cox	Cunningham 145	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Hughes	Hunter	Johnson	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Lowe 44	Marsh	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nieves
Nolte	Norr	Oxford	Page	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schoemehl	Self	Shively
Silvey	Skaggs	Spreng	Storch	Stream
Swinger	Talboy	Thomson	Todd	Viebrock
Villa	Vogt	Walsh	Wasson	Wells
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel			

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 013

Baker 25	Bland	Brown 30	Cooper 155	Corcoran
Funderburk	Kratky	Kuessner	St. Onge	Sutherland
Tilley	Walton	Mr Speaker		

Representative Pratt assumed the Chair.

On motion of Representative Dusenberg, **HB 155** was ordered perfected and printed.

HCS HB 364, relating to a deduction for health insurance, was taken up by Representative Ervin.

On motion of Representative Ervin, **HCS HB 364** was adopted.

On motion of Representative Ervin, **HCS HB 364** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 442**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 845**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Healthcare Facilities, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Facilities, to which was referred **HB 508**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 298**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 497**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Rural Community Development, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 679**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Senior Citizen Advocacy, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 796**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 26

WHEREAS, in 1720, Philippe Francois Renault introduced Negro slavery to Missouri when he brought 500 Negroes with him from Santa Domingo to work the lead mines in the Des Peres River section of what is now St. Louis and Jefferson Counties; and

WHEREAS, the Missouri Compromise of 1820 resulted in Missouri being admitted as a slave state in exchange for approving the application for statehood of Maine as a free state in order to resolve a dispute involving the ban on slavery in territories north of the Ohio River enacted in 1787. Under the Missouri Compromise, slavery would be allowed in Missouri, but slavery would no longer be allowed for any future requests for statehood north of the what would become known as the Mason-Dixon Line; and

WHEREAS, in 1860, 36 counties in Missouri had 1,000 or more slaves. To keep the Blacks "in their place", a series of laws, known as slave codes, were drawn up. Under the territorial slave code of 1804, slaves were made personal property, and each revision of the law was drafted with this precedent in mind. The State Constitution of 1820, for example, provided that slaves were not to be emancipated "without the consent of their masters, or without paying them, before such emancipation"; and

WHEREAS, a slave was not permitted to keep a gun in Missouri. If he was caught carrying a gun, he was to receive 39 lashes and forfeit the gun. Slaves who participated in riots, attended unlawful assemblies, or who were guilty of making seditious speeches, were subject to whipping. Slaves guilty of conspiracy, rebellion, insurrection, and murder were put to death; and

WHEREAS, other laws further dehumanized the Blacks. Negroes or mulattoes "who should commit or attempt to commit assault upon White women would be mutilated." However, since a slave woman was chattel, a White man who raped her was only guilty of trespass on the master's property; and

WHEREAS, in 1825, a law was passed declaring Blacks to be incompetent as witnesses in legal cases involving whites; and

WHEREAS, in 1847, one of the harshest laws which further dehumanized the slave was enacted. In that year, an ordinance specifically prohibited the education of Negroes was passed. Anyone operating a school or teaching reading and writing to any Negro or mulatto in Missouri could be punished by a fine of not less than \$500 and up to six months in jail. This law was a direct result of an ever increasing conviction on the part of slave holders that literacy led to rebellion; and

WHEREAS, even in death the races were generally separated. Usually there were "white" and "colored" cemeteries in every area of the State; and

WHEREAS, throughout the slavery period in Missouri there were persons, Black and White, who advocated the abolition of slavery both locally and nationally. These abolitionists were a hated group in a slaveholding state because they threatened the continued existence of an institution which provided for cheap labor. Because of their deep animosity toward persons who challenged their way of life, pro-slavery forces generally dealt severely with abolitionists; and

WHEREAS, discrimination followed the Negroes into the Army during the Civil War. Negroes, like Whites, were promised a bounty but not until the war was over did they receive it. While White soldiers received \$13 a month, Negro soldiers were given \$10 a month. Blacks were given inferior weapons and materials, inadequate medical care, and if captured, were killed until Lincoln and Grant threatened to treat captured Confederate soldiers in a similar manner; and

WHEREAS, in 1943, the Missouri Legislature killed a civil rights bill that would have given Blacks equal access to public places, such as restaurants and theaters; and

WHEREAS, in July 2003, President George W. Bush, at his visit to Goree Island (Senegal), acknowledged slavery in America as the largest migration in history, and also one of the greatest crimes of history; and

WHEREAS, in his State of the Judiciary address delivered to the First Regular Session of the 94th General Assembly, Missouri Supreme Court Chief Justice Michael Wolff acknowledged the *Dred Scott* decision as one of the greatest blemishes on judicial history; and

WHEREAS, in the *Dred Scott* case, Dred Scott, a slave who had lived in the free state of Illinois and the free territory of Wisconsin before moving back to the slave state of Missouri, had appealed to the Supreme Court in hopes of being granted his freedom. In March of 1857, the United States Supreme Court declared that all blacks - slave as well as free - were not and could never become citizens of the United States. Since Scott was not a citizen, he had no right to sue; and

WHEREAS, European and African nations have apologized for their roles in what history calls the worst holocaust of humankind, the Atlantic Slave Trade, and racial reconciliation is impossible without some acknowledgment of the moral and legal injustices perpetrated upon African Americans; and

WHEREAS, an apology for centuries of brutal dehumanization and injustices cannot erase the past, but confession of the wrongs can speed racial healing and reconciliation and help African Americans and white citizens confront the ghosts of their collective pasts together; and

WHEREAS, the story of the enslavement of Africans and their descendants, the human carnage, and the dehumanizing atrocities committed during slavery should not be purged from Missouri's history or discounted; moreover, the faith, perseverance, hope, and endless triumphs of African Americans and their significant contributions to the development of this State and the nation should be embraced, celebrated, and retold for generations to come; and

WHEREAS, the perpetual pain, distrust, and bitterness of many African Americans could be assuaged and the principles espoused by the Founding Fathers would be affirmed, and great strides toward unifying all Missourians and inspiring the nation to acquiesce might be accomplished if the State of Missouri acknowledged and atoned for its role in the slavery of Africans:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby formally apologize for the State of Missouri's role in slavery.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 41**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 124**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 654** and **HB 938**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 717**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 892**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 915**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 916**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 875**, **HB 686** and **HCS HB 780**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 28, introduced by Representatives Harris (110), Wildberger, Oxford, Frame, Meadows, Dougherty, Chappelle-Nadal, Emery, Lampe, Lembke, Schieffer, McGhee and Quinn (9), relating to protection from public nuisances.

HJR 29, introduced by Representatives Harris (110), Wildberger, Oxford, Frame, Meadows, Dougherty, Chappelle-Nadal, Emery, Lampe, Lembke, Schieffer and McGhee, relating to eminent domain.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1120, introduced by Representatives Harris (23), LeVota, Whorton, Meadows, Wildberger, Roorda, Darrough, Meiners, Hodges, Wright-Jones and Witte, relating to state purchasing.

HB 1121, introduced by Representatives Harris (23), LeVota, Wildberger, Darrough and Hodges, relating to a tax credit for qualified research costs.

HB 1122, introduced by Representatives Schlottach and Schneider, relating to reorganized common sewer districts.

HB 1123, introduced by Representative Smith (14), relating to license plates.

HB 1124, introduced by Representative Aull, relating to school attendance in inclement weather.

HB 1125, introduced by Representative Aull, relating to insurance premium rates.

HB 1126, introduced by Representatives Walton, Roorda, Bland, Casey, Villa, Lembke, Jones (117), Wallace, Stevenson and McGhee, relating to the professional athletes and entertainers tax.

HB 1127, introduced by Representatives Bearden, Dempsey and Richard, relating to merchandising practices.

HB 1128, introduced by Representatives Silvey, Jetton, Bearden, Kraus, Dusenberg, Nolte, Talboy, Holsman, Portwood, Pratt, Flook, Dougherty, Brown (50), Grill, Nieves, Icet, Dixon, Dempsey, McGhee, Stevenson, Kelly, Guest, May, Kingery, Threlkeld, Weter, Thomson, Smith (150), Robb, Grisamore, Fisher, Wright, Emery, Faith, Scharnhorst, Deeken, Tilley, Onder, Ruzicka, Parson, Munzlinger, Pearce, Nasheed, Norr, Scavuzzo, Salva, Wells, Viebrock, Wood, Wilson (119), Bandom, Loehner, Lembke, Hobbs, Schoeller, Stream, Franz, Wasson, Avery, Ruestman, Day, Wilson (130), Richard, Hunter, Schlottach, Quinn (7), Zimmerman, Denison, Wildberger, Dethrow, Moore, Curls, George, LeVota, Hughes, Bowman, Schaaf, Sater, Cunningham (145), El-Amin, Lowe (44), Hoskins, Pollock, Cox, Sander, Fallert, Young, Bruns, Casey, Liese, Schieffer, Cooper (120), Wallace, Bland, Wright-Jones, Hubbard, Rucker, Aull, Meadows, Komo, Roorda,

Whorton, Jones (117), Marsh, Cooper (158), Johnson, Self, Jones (89) and Swinger, relating to a bridge designation.

HB 1129, introduced by Representatives Low (39), Baker (25), Walsh, Oxford, Johnson, Lowe (44), Bland, Holsman and Hughes, relating to lenders of unsecured loans.

HB 1130, introduced by Representatives Low (39), Oxford, Talboy, Johnson, Nasheed, Curls, Wright-Jones, Yaeger, El-Amin, Lowe (44), Hughes, Bland and Holsman, relating to compensation for wrongful imprisonment.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 54**, entitled:

An act to amend chapter 393, RSMo, by adding thereto five new sections relating to the green power initiative, an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 139**, entitled:

An act to repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to eliminating the annual state of the state transportation address.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 200**, entitled:

An act to repeal sections 390.071 and 622.095, RSMo, and to enact in lieu thereof one new section relating to implementing the unified carrier registration plan and agreement to conform with the Unified Carrier Registration Act of 2005.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 309**, entitled:

An act to repeal sections 384.025, 384.031, 384.051, 384.057, and 384.062, RSMo, and to enact in lieu thereof four new sections relating to surplus lines insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 332**, entitled:

An act to repeal sections 595.010, 595.015, 595.020, 595.025, 595.027, 595.030, 595.035, 595.036, 595.037, 595.040, 595.045, and 595.060, RSMo, and to enact in lieu thereof thirteen new sections relating to the crime victims' compensation fund, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 407**, entitled:

An act to repeal section 247.050, RSMo, and to enact in lieu thereof one new section relating to public water supply districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 416**, entitled:

An act to repeal section 516.090, RSMo, and to enact in lieu thereof one new section relating to the statute of limitations for actions involving certain lands.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 440**, entitled:

An act to repeal sections 33.752, 33.753, and 536.305, RSMo, and to enact in lieu thereof three new sections relating to the minority and women business advocacy commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 543**, entitled:

An act to repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to the reissuance of license plates.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Kuessner.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, March 15, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, March 15, 2007, 8:00 a.m. Hearing Room 6.
Executive session.

BUDGET

Thursday, March 15, 2007, 8:15 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6,
HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Friday, March 16, 2007, 8:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6,
HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

FISCAL REVIEW

Thursday, March 15, 2007, 8:30 a.m. Hearing Room 2-A.
Any other bills that may come to the Fiscal Review Committee.
Public hearing to be held on: HCS HB 74

JUDICIARY

Thursday, March 15, 2007, South Gallery upon morning adjournment.
Executive session only.

LOCAL GOVERNMENT

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 416, HB 103

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, March 15, 2007, 8:30 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HCR 24, HB 744, HB 941, HB 684, HB 987, HB 740, HB 428,
HB 56, HB 462, HB 746, HB 432, HB 482, HB 412, HB 233, HB 596, HB 574, HB 312, HCS HB
699, HB 42, HB 554, HCS HB 555, HB 215, HCS HB 159, HCS HB 122, HCS HB 795, HCS HB
181, HCS HB 768, HCS HB 811, HCS HB 245, HCS HB 891, HCS HB 914, HCS HB 457

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, March 15, 2007, 11:30 a.m. Hearing Room 4.
Committee will meet at 11:30 a.m. or upon adjournment.
Executive session may follow. AMENDED
Public hearings to be held on: HB 41, HCS HB 616, HCS HB 227, HCS HB 487, HCS HB 298

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Thursday, March 15, 2007, 9:45 a.m. House Chamber south gallery.

Executive session may follow.

Public hearing to be held on: HB 887

SPECIAL COMMITTEE ON HEALTH INSURANCE

Thursday, March 15, 2007, 9:45 a.m. House Chamber south gallery.

Executive session.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 15, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 350, HB 413, HB 657, HB 794

SPECIAL COMMITTEE ON RETIREMENT

Thursday, March 15, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 626, HB 949, HB 950, HB 1006

WAYS AND MEANS

Thursday, March 15, 2007, 8:30 a.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HB 76, HB 270, HB 456, HB 1000

HOUSE CALENDAR

FORTY-SECOND DAY, THURSDAY, MARCH 15, 2007

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 28 and HJR 29

HOUSE BILLS FOR SECOND READING

HB 1120 through HB 1130

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 21 - Cooper (120)

2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

1 HCS HB 61 - Ruestman

2 HCS HB 131 - Cooper (120)

3 HCS HB 90 - St. Onge

4 HCS HB 851 - Onder

- 5 HCS HB 889 - Emery
- 6 HCS HB 820 - Moore
- 7 HCS HB 111 - Cunningham (145)
- 8 HB 213 - Cunningham (86)
- 9 HCS HB 448 - Spreng
- 10 HCS HB 466 - Schaaf
- 11 HCS HBs 365, 804 & 805 - Ervin
- 12 HCS HB 182 - Bruns
- 13 HCS HB 338 - Tilley
- 14 HCS HB 827 - Muschany
- 15 HCS HB 771 - Bearden
- 16 HCS HB 165 - Cooper (120)
- 17 HCS HBs 180, 396 & 615 - Day
- 18 HCS HB 238 - Yates
- 19 HB 360 - Robb
- 20 HCS HB 788 - Cooper (155)
- 21 HCS#2 HB 28 - Cunningham (86)
- 22 HCS HB 431 - Pratt
- 23 HCS HB 894 - Hoskins
- 24 HCS HB 551 - Dempsey
- 25 HCS HB 218 - Stevenson
- 26 HB 224 - Franz
- 27 HCS HB 104 - Meiners

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 263 - Nieves
- 2 HB 625 - Dempsey
- 3 HB 527 - Cooper (120)
- 4 HB 579 - Dempsey
- 5 HCS HB 669 - Pearce
- 6 HB 546 - Schaaf

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/14/07)

- 1 HB 933 - Grill
- 2 HB 1014 - Wright

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 20, (03-01-07, Pages 522-524) - Guest

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 458, (Fiscal Review 3-13-07) - Sutherland
- 2 HCS HB 74, (Fiscal Review 3-13-07) - Wilson (119)
- 3 HCS HB 774 - Jones (89)
- 4 HCS HB 426 - Parson
- 5 HCS HB 693 - Quinn (7)
- 6 HCS HB 469 - Wallace
- 7 HB 526 - Pratt
- 8 HB 665 - Ervin
- 9 HB 75 - Sutherland
- 10 HB 125 - Franz
- 11 HB 155 - Dusenberg
- 12 HCS HB 364 - Ervin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 62 - Ruestman
- 2 HB 268 - Moore
- 3 HB 467, E.C. - Cox
- 4 HB 489 - Baker (123)
- 5 HB 680 - May
- 6 HB 754 - Kelly
- 7 HB 910 - Fares
- 8 HB 875 - Franz
- 9 HB 686 - Smith (150)
- 10 HCS HB 780 - Wasson

SENATE BILLS FOR SECOND READING

- 1 SCS SB 54
- 2 SB 139
- 3 SB 200
- 4 SCS SB 309
- 5 SB 332
- 6 SB 407
- 7 SB 416
- 8 SB 440
- 9 SB 543

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-SECOND DAY, THURSDAY, MARCH 15, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Ralph Robinett, Sergeant-at-Arms.

God our Father, life pulls us in many directions, and presents many possibilities. Sometimes we do not know which way to turn. There are so many claims upon our time, so many demands for our attention, that the very range of choices before us drives us to distraction.

It is then that we need You. Yours is the ultimate claim on our lives; help us to listen for it in all the other claims that are made on us. Because we cannot do everything, help us to get our priorities right, to know what You want us to do now, and what we have to leave.

May the stress and strain of life not break us, but make us stronger, for Jesus' sake. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joelle Pruitt, Karuna Gausper, Gabe Clifford, Andy Biesiadecki, Savanna Gifford, Dakota Gifford, Hudson Gifford, Zachary Jay Wallau, Jonah Summit and Erin Summit.

The Journal of the forty-first day was approved as printed.

HOUSE RESOLUTIONS

Representative Parson offered House Resolution No. 1306.

Representative Icet offered House Resolution No. 1321.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1307 through House Resolution No. 1320

House Resolution No. 1322 through House Resolution No. 1345

HOUSE CONCURRENT RESOLUTION

Representative Smith (150) offered House Concurrent Resolution No. 44.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 28 and **HJR 29** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1120 through **HB 1130** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 54, SB 139, SB 200, SCS SB 309, SB 332, SB 407, SB 416, SB 440 and **SB 543** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 74** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 458** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 458, relating to franchise tax rates, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 458** was read the third time and passed by the following vote:

AYES: 107

Avery	Baker 25	Baker 123	Bearden	Bivins
Brandom	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Grill	Grisamore	Guest
Harris 23	Hobbs	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lampe	Lembke	LeVota
Lipke	Loehner	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walton

Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yates	Young
Zimmerman	Mr Speaker			

NOES: 046

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Harris 110	Haywood	Hodges	Holsman	Hughes
Komo	Liese	Low 39	Lowe 44	McClanahan
Meadows	Nasheed	Norr	Oxford	Quinn 9
Robinson	Roorda	Schieffer	Schoemehl	Shively
Storch	Swinger	Talboy	Todd	Vogt
Walsh	Whorton	Wildberger	Witte	Yaeger
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Brown 30	Bruns	Cooper 155	Corcoran
Funderburk	Kratky	Kuessner	Self	St. Onge

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 74, relating to rural empowerment zones, was taken up by Representative Wilson (119).

On motion of Representative Wilson (119), **HCS HB 74** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach

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Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bowman	Brown 30	Bruns	Cooper 155	Corcoran
Funderburk	Johnson	Kratky	Kuessner	Self
St. Onge				

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 774, relating to the disclosure of news sources, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HCS HB 774** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Cunningham 145	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walton

Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 005

Cox	Cunningham 86	Hunter	Nieves	Threlkeld
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PRESENT: 000

ABSENT WITH LEAVE: 011

Bowman	Brown 30	Bruns	Cooper 155	Corcoran
Funderburk	Kratky	Kuessner	Self	St. Onge
Walsh				

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton assumed the Chair.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **CCS SCS HCS HB 14** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 14** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 426, relating to propane safety, was taken up by Representative Parson.

On motion of Representative Parson, **HCS HB 426** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 158	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89

Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Ervin Lowe 44

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker 25	Bowman	Brown 30	Bruns	Cooper 155
Corcoran	Dixon	Funderburk	Kratky	Kuessner
Self	Shively	St. Onge		

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 693, relating to veterinary student loan assistance, was taken up by Representative Quinn (7).

On motion of Representative Quinn (7), **HCS HB 693** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Casey	Chappelle-Nadal	Cooper 120	Cooper 158	Cox
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners

Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 008

Burnett	Daus	Flook	Hughes	Johnson
Skaggs	Talboy	Wildberger		

PRESENT: 000

ABSENT WITH LEAVE: 012

Bowman	Brown 30	Bruns	Cooper 155	Corcoran
Cunningham 145	Funderburk	Jones 89	Kratky	Kuessner
Self	St. Onge			

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 469, relating to school safety and liability, was taken up by Representative Wallace.

On motion of Representative Wallace, **HCS HB 469** was read the third time and passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Casey	Chappelle-Nadal	Cooper 120	Cooper 158	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hubbard
Hunter	Iceet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood

Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Shively	Silvey	Smith 14
Smith 150	Stevenson	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

NOES: 012

Brown 50	Burnett	Frame	Hoskins	Hughes
Low 39	Lowe 44	Nasheed	Skaggs	Spreng
Talboy	Vogt			

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	Mr Speaker

Speaker Pro Tem Bearden declared the bill passed.

HB 526, relating to the Administrative Hearing Commission, was taken up by Representative Pratt.

On motion of Representative Pratt, **HB 526** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman

Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 002

Nasheed Roorda

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

HB 665, relating to the preservation of county documents, was taken up by Representative Ervin.

On motion of Representative Ervin, **HB 665** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl

Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

HB 75, relating to park services, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HB 75** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Cooper 120	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh

Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

HB 125, relating to tax collections, was taken up by Representative Franz.

On motion of Representative Franz, **HB 125** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 004

Donnelly	Harris 110	Lowe 44	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 012

Bowman	Brown 30	Bruns	Cooper 155	Corcoran
Funderburk	Hubbard	Kratky	Kuessner	Self
St. Onge	Tilley			

Speaker Pro Tem Bearden declared the bill passed.

HB 155, relating to motorcycle helmets, was taken up by Representative Dusenberg.

On motion of Representative Dusenberg, **HB 155** was read the third time and passed by the following vote:

AYES: 100

Aull	Avery	Baker 123	Bearden	Brandom
Bringer	Burnett	Chappelle-Nadal	Cooper 120	Cooper 158
Cox	Cunningham 145	Davis	Day	Deeken
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Fallert	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Parson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robinson	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schad	Schieffer	Schlottach	Schoeller
Shively	Silvey	Smith 150	Stevenson	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Mr Speaker

NOES: 054

Baker 25	Bivins	Bland	Bowman	Brown 50
Casey	Cunningham 86	Curls	Darrough	Daus
Dempsey	Denison	Donnelly	El-Amin	Faith
Fares	Harris 23	Haywood	Hoskins	Johnson
Lampe	Low 39	Lowe 44	May	McClanahan
Meadows	Meiners	Nasheed	Onder	Oxford
Page	Pollock	Robb	Roorda	Rucker
Sater	Schaaf	Scharnhorst	Schneider	Schoemehl
Skaggs	Smith 14	Spreng	Storch	Stream
Threlkeld	Walsh	Walton	Wells	Weter
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 754, relating to corrections disbursements, was taken up by Representative Kelly.

On motion of Representative Kelly, **HB 754** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Nasheed

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

HB 62, relating to the George Washington Carver Building, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **HB 62** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

HB 268, relating to a conveyance in Callaway County, was taken up by Representative Moore.

On motion of Representative Moore, **HB 268** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

HB 467, relating to a conveyance in Pettis County, was taken up by Representative Cox.

On motion of Representative Cox, **HB 467** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Self	St. Onge	

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 009

Bowman	George	Hughes	Jones 89	Vogt
Whorton	Wildberger	Wright-Jones	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Lembke	Self	St. Onge

HB 489, relating to gifted education, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **HB 489** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158

Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Brown 30	Bruns	Cooper 155	Corcoran
Funderburk	Kratky	Kuessner	Self	St. Onge
Wasson				

Speaker Pro Tem Bearden declared the bill passed.

HB 680, relating to the official state grass, was taken up by Representative May.

On motion of Representative May, **HB 680** was read the third time and passed by the following vote:

AYES: 107

Avery	Bearden	Bivins	Bowman	Brandom
Brown 50	Chappelle-Nadal	Cooper 120	Cooper 158	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Ervin	Faith	Fares
Fisher	Flook	Franz	Grill	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery

Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Nance
Nieves	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 043

Aull	Baker 25	Baker 123	Bland	Bringer
Burnett	Casey	Cox	Curls	Daus
Donnelly	Emery	Fallert	George	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hughes
Johnson	Komo	Kraus	Lampe	LeVota
Muschany	Nasheed	Norr	Oxford	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Skaggs	Storch	Swinger	Talboy	Todd
Whorton	Wright-Jones	Yates		

PRESENT: 002

Frame	Yaeger
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ABSENT WITH LEAVE: 011

Brown 30	Bruns	Cooper 155	Corcoran	Funderburk
Kratky	Kuessner	Nolte	Self	St. Onge
Wasson				

Speaker Pro Tem Bearden declared the bill passed.

HB 910, relating to the official state mushroom, was taken up by Representative Fares.

HB 910 was laid over.

HB 875, relating to the County Employees' Retirement System, was taken up by Representative Franz.

On motion of Representative Franz, **HB 875** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough

Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Emery

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 30	Bruns	Cooper 120	Cooper 155	Corcoran
Dougherty	Funderburk	Kratky	Kuessner	Loehner
Self	St. Onge			

Speaker Pro Tem Bearden declared the bill passed.

HB 686, relating to nursing home administrators, was taken up by Representative Smith (150).

Representative Pratt assumed the Chair.

Speaker Jetton resumed the Chair.

Representative Sutherland assumed the Chair.

On motion of Representative Smith (150), **HB 686** was read the third time and passed by the following vote:

AYES: 104

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Chappelle-Nadal	Cooper 120	Cooper 158
Cox	Cunningham 145	Curl	Denison	Dethrow
Day	Deeken	Emery	Fisher	Flook
Dixon	Dusenberg	Guest	Hobbs	Icet
Faith	Fallert	Hunter	Kingery	Kraus
Franz	Grill	Loehner	Marsh	May
Hodges	Hoskins	Moore	Munzlinger	Muschany
Johnson	Jones 89	Nolte	Parson	Pearce
Lembke	Lipke	Pratt	Quinn 7	Richard
McGhee	Meiners	Rucker	Ruestman	Ruzicka
Nance	Nieves	Schaaf	Schad	Scharnhorst
Pollock	Portwood	Schneider	Schoeller	Silvey
Robb	Robinson	Stevenson	Stream	Sutherland
Sander	Sater	Threlkeld	Tilley	Viebrock
Schieffer	Schlottach	Wasson	Wells	Weter
Smith 14	Smith 150	Wilson 130	Witte	Wood
Swinger	Thomson	Young	Mr Speaker	
Villa	Wallace			
Whorton	Wilson 119			
Yaeger	Yates			

NOES: 044

Baker 25	Bowman	Bringer	Brown 50	Burnett
Casey	Darrough	Daus	Donnelly	Frame
George	Harris 23	Harris 110	Haywood	Holsman
Hughes	Komo	LeVota	Liese	Low 39
Lowe 44	McClanahan	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Salva	Scavuzzo
Schoemehl	Shively	Skaggs	Spreng	Storch
Talboy	Todd	Vogt	Walsh	Walton
Wildberger	Wright-Jones	Zimmerman	Zweifel	

PRESENT: 002

Lampe	Meadows
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ABSENT WITH LEAVE: 013

Brown 30	Bruns	Cooper 155	Corcoran	Dougherty
Funderburk	Kelly	Kratky	Kuessner	Onder
Self	St. Onge	Wright 159		

Representative Sutherland declared the bill passed.

Speaker Jetton resumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 284, as amended**, and has taken up and passed **HCS SS SCS SB 284, as amended**.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS SS SCS SB 284** and **SCS SB 339** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Hobbs assumed the Chair.

THIRD READING OF HOUSE BILL - CONSENT

HCS HB 780, relating to professional registration, was taken up by Representative Wasson.

On motion of Representative Wasson, **HCS HB 780** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kingery	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter

Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Schaaf

ABSENT WITH LEAVE: 014

Baker 25	Brown 30	Bruns	Cooper 155	Corcoran
Dougherty	Funderburk	Kelly	Kratky	Kuessner
Onder	Self	St. Onge	Wright 159	

Representative Hobbs declared the bill passed.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 20, relating to the REAL ID Act, was taken up by Representative Guest.

On motion of Representative Guest, **HCR 20** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Mr Speaker				

NOES: 004

Bowman	Donnelly	Schaaf	Zweifel
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PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 30	Bruns	Cooper 155	Corcoran	Dougherty
Funderburk	Kelly	Kratky	Kuessner	Onder
Self	St. Onge	Wright 159		

Representative Hobbs declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS#2 HB 28, HCS HB 431 and HCS HB 894 were placed on the Informal Calendar.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 38 - Agriculture Policy

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 364 - Fiscal Review (Fiscal Note)
HB 682 - Health Care Policy
HB 867 - Elections
HB 874 - Ways and Means
HB 999 - Crime Prevention and Public Safety
HB 1011 - Ways and Means
HB 1023 - Conservation and Natural Resources
HB 1034 - Special Committee on Tax Reform
HB 1067 - Health Care Policy
HB 1074 - Elections
HB 1089 - Special Committee on Tax Reform
HB 1092 - Special Committee on Rural Community Development
HB 1096 - Insurance Policy

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 18 - Special Committee on Government Affairs

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 25 - Special Committee on Family Services
SCS SBs 62 & 41 - Special Committee on General Laws
SCS SB 64 - Special Committee on Student Achievement
SB 81 - Local Government
SB 84 - Special Committee on Family Services
SCS SB 91 - Transportation
SB 102 - Transportation
SCS SB 103 - Transportation
SCS SB 104 - Transportation
SCS SB 115 - Corrections and Public Institutions
SB 127 - Special Committee on Retirement
SB 139 - Transportation
SB 152 - Corrections and Public Institutions
SCS SB 156 - Agriculture Policy
SB 158 - Special Committee on Professional Registration and Licensing
SCS SB 159 - Special Committee on Professional Registration and Licensing
SB 166 - Special Committee on Tourism
SB 172 - Special Committee on Retirement
SS SB 195 - Special Committee on General Laws
SCS SB 198 - Special Committee on State Parks and Waterways
SB 200 - Transportation
SB 218 - Special Committee on Government Affairs
SB 223 - Transportation
SB 233 - Special Committee on Tax Reform
SB 237 - Local Government
SB 238 - Transportation
SB 240 - Transportation
SB 244 - Special Committee on Retirement
SB 270 - Crime Prevention and Public Safety
SB 271 - Local Government
SCS SB 272 - Special Committee on Professional Registration and Licensing
SB 281 - Special Committee on Professional Registration and Licensing
SCS SB 288 - Corrections and Public Institutions
SB 298 - Special Committee on Healthcare Facilities
SCS SB 308 - Special Committee on Professional Registration and Licensing
SB 315 - Special Committee on Agri-Business
SB 322 - Local Government

SB 332 - Crime Prevention and Public Safety
SB 352 - Special Committee on General Laws
SCS SB 360 - Local Government
SB 376 - Special Committee on Tourism
SB 395 - Transportation
SCS SB 397 - Special Committee on Healthcare Facilities
SB 401 - Special Committee on Retirement
SB 402 - Special Committee on Retirement
SB 403 - Special Committee on Retirement
SB 404 - Special Committee on Retirement
SB 406 - Special Committee on Retirement
SB 407 - Special Committee on Government Affairs
SB 416 - Special Committee on Utilities
SCS SB 420 - Conservation and Natural Resources
SB 543 - Transportation

COMMITTEE REPORTS

Committee on Budget, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 4**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 8**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 9**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 10**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 11**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 12**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 13**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 945**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 134**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 512**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 184**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **HB 1002**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 347**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 673**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 493**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Financial Institutions, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **HB 329**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Government Affairs, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 735**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 882**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Health Insurance, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 791**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 818**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Small Business, Chairman Ervin reporting:

Mr. Speaker: Your Special Committee on Small Business, to which was referred **HB 490**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 41**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 56**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 122**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 159**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 181**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 215**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 227**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 233**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 245**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 298**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 312**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 428**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 432**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 457**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 482**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 487**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 554**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 555**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 574**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 596**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 616**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 684**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 699**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 740**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 744**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 746**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 768**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 795**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 811**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 891**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 914**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 941**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 987**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1131, introduced by Representatives Jones (89), Pratt, Threlkeld, Jones (117) and Moore, relating to obtaining print instructional material in specialized formats.

HB 1132, introduced by Representatives Lampe, Meadows, Yaeger, Moore, Wildberger, Schneider, Sater, Hodges, Nasheed, Salva and Holsman, relating to child visitation.

HB 1133, introduced by Representatives Dusenberg and Kraus, relating to a tax credit for disabled veterans.

HB 1134, introduced by Representatives Dusenberg, Nolte, Guest, Onder, Pratt, Thomson, Fisher, Ervin, Cox, Yates, Nieves, Kelly, Lembke, Franz and Schad, relating to money transmissions.

HB 1135, introduced by Representative Pratt, relating to the state legal expenses fund.

HB 1136, introduced by Representative Page, relating to prohibited acts by public officials and employees.

HB 1137, introduced by Representatives Lowe (44), Skaggs, Harris (23), Whorton, Haywood, Villa, Storch, LeVota, Talboy, Zweifel, Yaeger, Nasheed, Fallert, Swinger, Meadows, Komo, George,

Low (39), Kratky, Walsh, Holsman, Darrough, Meiners, Corcoran, Daus, Baker (25), Wright-Jones, Bringer, Oxford, Schoemehl, McClanahan, Johnson, Frame, Lampe, Burnett, Harris (110), Curls, Young, Schieffer, Spreng, Hughes, Bland, Bowman, Rucker, Wildberger, Page, Chappelle-Nadal, Liese and Walton, relating to equal employment practices.

HB 1138, introduced by Representatives Villa, Young, Daus, Chappelle-Nadal, Meiners, Lowe (44), Baker (25) and Spreng, relating to the use for marijuana for medicinal purposes.

HB 1139, introduced by Representatives Bland, Bowman, Low (39), Wildberger, Page, Baker (25), Meiners, Yates, Brown (50), Curls, Hubbard, Hoskins, Silvey, Wright-Jones, Villa, Daus, Holsman, Talboy, Johnson, Haywood, Hughes, Pratt, Nasheed, Bringer and Burnett, relating to obesity.

HB 1140, introduced by Representatives Bland, Hubbard, Hoskins, Curls, Holsman, Burnett, Hughes, Quinn (9), Haywood, Talboy, Meadows, Hodges, Meiners, Johnson, Rucker, LeVota and Harris (23), relating to alternative education programs.

HB 1141, introduced by Representatives Bland, Sater, Bowman, Nance, Low (39), Wildberger, Page, Baker (25), Meiners, Yates, Brown (50), Munzlinger, Curls, Hubbard, Hoskins, Silvey, Wright-Jones, Villa, Daus, Holsman, Talboy, Johnson, Haywood, Hughes, Nasheed, Bringer and Burnett, relating to the coordination of school health programs.

HB 1142, introduced by Representatives Flook, Wildberger, Nolte, Schoemehl, Chappelle-Nadal, Darrough, Ervin, Richard, Stevenson, Nieves, Bivins, Parson, Nance, McGhee, Avery, Kelly, Fisher, Ruestman, Daus, Emery, Zimmerman, Schad, May, Dusenberger, Meiners, Lembke, Baker (123), Onder and Walton, relating to human trafficking.

HB 1143, introduced by Representatives Bland, Talboy, Low (39), Burnett, Shively, Wright-Jones, Haywood, Walton, Hughes, Meiners, Frame, Nasheed, Bowman and Brown (50), relating to the emancipation day commission.

HB 1144, introduced by Representatives Emery, Jones (89), Faith, Ruestman and Cunningham (86), relating to liability for human rights violations.

HB 1145, introduced by Representatives Oxford, Guest, Shively, Sander, Nasheed, Talboy, Whorton, Harris (110), Lampe, Baker (25), Lowe (44), Schoemehl, Brown (50), El-Amin, McClanahan and Low (39), relating to driver's license photographs or digital images.

HB 1146, introduced by Representatives Oxford, Chappelle-Nadal and Harris (110), relating to alternate rate schedules.

HB 1147, introduced by Representative Hunter, relating to the second injury fund.

HB 1148, introduced by Representative Hunter, relating to school funding for prisoners in state custody.

HB 1149, introduced by Representatives Hunter and Cunningham (86), relating to prohibited acts by members of the general assembly.

HB 1150, introduced by Representatives Wells, Dethrow, Kelly, McGhee, Day, Denison, Norr, Dougherty, Swinger, Kuessner, Loehner and Smith (150), relating to a tax credit for safety upgrade costs for gas stations.

HB 1151, introduced by Representatives Wilson (130), Ruestman, Young, Sander, Wallace, Robinson and Dougherty, relating to special license plates for persons convicted of driving while intoxicated.

HB 1152, introduced by Representatives Wilson (130), Stevenson, Fisher, Ruestman, Smith (150), Hunter, Richard, Emery, May and Kingery, relating to the division of aging.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 22**, entitled:

An act to repeal sections 41.655, 50.565, 50.660, 58.500, 58.510, 64.907, 64.940, 67.110, 67.320, 67.410, 67.463, 67.797, 67.1003, 67.1360, 67.1451, 67.2500, 67.2510, 67.2555, 70.515, 70.545, 71.011, 71.012, 72.080, 78.610, 79.050, 84.830, 87.006, 89.010, 89.400, 94.660, 100.050, 100.059, 105.971, 110.130, 110.140, 110.150, 137.055, 137.115, 144.757, 144.759, 163.011, 206.090, 235.210, 238.202, 238.207, 238.208, 238.225, 238.275, 247.060, 250.140, 260.830, 260.831, 302.010, 320.200, 320.271, 320.300, 320.310, 393.715, 393.720, 393.740, 393.825, 393.847, 393.900, 393.933, 473.743, 479.011, 650.340, 650.396, 650.399, RSMo, and section 67.2505, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161 merged with house substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session and section 67.2505 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 833 merged with house committee substitute for senate substitute for senate bill no. 732, ninety-second general assembly, second regular session, and to enact in lieu thereof ninety-five new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 47**, entitled:

An act to repeal sections 320.200, 320.271, 320.300, and 320.310, RSMo, and to enact in lieu thereof eight new sections relating to fire protection.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 215**, entitled:

An act to amend chapter 379, RSMo, by adding thereto forty-nine new sections relating to the regulation of captive insurance companies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 257**, entitled:

An act to amend chapter 44, RSMo, by adding thereto one new section relating to treatment of firearms during emergencies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 418**, entitled:

An act to repeal section 208.030, RSMo, and to enact in lieu thereof one new section relating to the supplemental nursing care program.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

March 14, 2007

Rep. Rod Jetton
Speaker of the House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I hereby resign from the Special Committee on Urban Issues effective immediately.

Respectfully submitted,

/s/ Jamilah Nasheed
State Representative
60th District

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, March 16, 2007.

COMMITTEE MEETINGS

BUDGET

Friday, March 16, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow. CANCELLED

Public hearings to be held on: HB 1, HCS HB 2, HCS HB 3, HCS HB 4, HCS HB 5, HCS HB 6, HCS HB 7, HCS HB 8, HCS HB 9, HCS HB 10, HCS HB 11, HCS HB 12, HCS HB 13

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 27, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 726

LOCAL GOVERNMENT

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 416, HB 103, HB 913

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 27, 2007, 1:00 p.m. Hearing Room 2.

Executive session ONLY.

TRANSPORTATION

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Work session on Omnibus bill.

Public hearings to be held on: HB 510, HB 642, HB 738

HOUSE CALENDAR

FORTY-THIRD DAY, FRIDAY, MARCH 16, 2007

HOUSE BILLS FOR SECOND READING

HB 1131 through HB 1152

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 21 - Cooper (120)

2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

1 HCS HB 61 - Ruestman

2 HCS HB 131 - Cooper (120)

3 HCS HB 90 - St. Onge

4 HCS HB 851 - Onder

5 HCS HB 889 - Emery

6 HCS HB 820 - Moore

7 HCS HB 111 - Cunningham (145)

8 HB 213 - Cunningham (86)

9 HCS HB 448 - Spreng

10 HCS HB 466 - Schaaf

11 HCS HBs 365, 804 & 805 - Ervin

12 HCS HB 182 - Bruns

- 13 HCS HB 338 - Tilley
- 14 HCS HB 827 - Muschany
- 15 HCS HB 771 - Bearden
- 16 HCS HB 165 - Cooper (120)
- 17 HCS HBs 180, 396 & 615 - Day
- 18 HCS HB 238 - Yates
- 19 HB 360 - Robb
- 20 HCS HB 788 - Cooper (155)
- 21 HCS HB 551 - Dempsey
- 22 HCS HB 218 - Stevenson
- 23 HB 224 - Franz
- 24 HCS HB 104 - Meiners
- 25 HB 42 - Portwood
- 26 HB 56 - Sater
- 27 HCS HB 181 - Sander
- 28 HB 233 - Tilley
- 29 HB 554 - Cooper (155)
- 30 HCS HB 555 - Cooper (155)
- 31 HB 574 - St. Onge
- 32 HB 596 - St. Onge
- 33 HCS HB 811 - Schad
- 34 HCS HB 245 - St. Onge
- 35 HB 412 - Emery
- 36 HCS HB 457 - Sutherland
- 37 HB 462 - Munzlinger
- 38 HB 215 - Stevenson
- 39 HB 432 - Schaaf
- 40 HB 482 - Walton
- 41 HCS HB 699 - Tilley
- 42 HCS HB 768 - St. Onge
- 43 HCS HB 795 - Flook
- 44 HCS HB 122 - Nance
- 45 HCS HB 891 - Kratky
- 46 HCS HB 914 - Dougherty

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 263 - Nieves
- 2 HB 625 - Dempsey
- 3 HB 527 - Cooper (120)
- 4 HB 579 - Dempsey
- 5 HCS HB 669 - Pearce
- 6 HB 546 - Schaaf
- 7 HCS#2 HB 28 - Cunningham (86)
- 8 HCS HB 431 - Pratt
- 9 HCS HB 894 - Hoskins

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)
- 3 HB 744 - St. Onge
- 4 HB 987 - Wasson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/14/07)

- 1 HB 933 - Grill
- 2 HB 1014 - Wright

(3/16/07)

- 1 HB 41 - Portwood
- 2 HB 428 - Cox
- 3 HCS HB 616 - Wood
- 4 HB 684 - Bruns
- 5 HB 740 - Pearce
- 6 HB 941 - Kingery

HOUSE BILL FOR THIRD READING

HCS HB 364, (Fiscal Review 3-15-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE JOINT RESOLUTION FOR SECOND READING

SCS SJRs 9 & 17

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 22
- 2 SCS SB 47
- 3 SS SCS SB 215
- 4 SB 257
- 5 SCS SB 418

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin
- 7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

- HR 65, (2-27-07, Page 491) - Schaaf
HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-THIRD DAY, FRIDAY, MARCH 16, 2007

The House met pursuant to adjournment.

Representative Deeken in the Chair.

Prayer by Chris Dunn, Director of Legislation, Office of Speaker Rod Jetton.

Heavenly Father, Your Word says "For behold, the winter is past... The flowers appear on the earth: the time of the singing of the birds has come, and the voice of the turtledove is heard in our land." (*Song of Solomon 2:11-12*)

As the grass turns green, as flowers emerge from the soil, and as the trees begin to bud we thank You for the arrival of Spring. We are genuinely grateful for the longer days and for the recent signs of life that are percolating around us. We ask today that You would reflect this same newness into our hearts.

Your Word says "A man can do nothing better than to eat and drink and find satisfaction in his work. This too, I see, is from the hand of God, for without Him, who can eat or find enjoyment? To the man who pleases Him, God gives wisdom, knowledge and happiness." (*Ecclesiastes 2:24-26*)

We ask You Lord that You would make our work pleasing to You today and that in doing so, we would find great satisfaction. In return, we ask You to fulfill the promise that You will give wisdom, knowledge and happiness. You are awesome God. Thank You deeply for the life You have given us. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ross Deeken.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1346 and House Resolution No. 1347

SECOND READING OF HOUSE BILLS

HB 1131 through **HB 1152** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SCS SJRs 9 & 17 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 22, SCS SB 47, SS SCS SB 215, SB 257 and **SCS SB 418** were read the second time.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 7 - Rules

HR 565 - Rules

HR 810 - Rules

HR 1036 - Rules

HR 1041 - Rules

HR 1306 - Rules

HR 1321 - Rules

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1153, introduced by Representatives Robb, Moore, Sater, Guest, Jones (117), Cunningham (86), Hobbs, Roorda, Ruzicka, Burnett, Darrough, Brown (50) and Nieves, relating to the crime of assault on a police animal.

HB 1154, introduced by Representatives Robb, Smith (150), Moore, Sater and Viebrock, relating to debt offset amounts.

HB 1155, introduced by Representatives Wright-Jones, Hubbard, Lampe, Fallert, Oxford, Nasheed, Bowman, Bland, Haywood, Meadows, Frame and Moore, relating to retirement benefits.

HB 1156, introduced by Representatives Hubbard and Page, relating to direct billing of anatomic pathology services.

The following members' presence was noted: Casey, Darrough, Frame, Komo and Rucker.

ADJOURNMENT

On motion of Representative Deeken, the House adjourned until 4:00 p.m., Monday, March 26, 2007.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Forty-second Day, Thursday, March 15, 2007, Page 729, by inserting after Line 10, the following:

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SJRs 9 & 17**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 13 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to laws that are retrospective in operation.

In which the concurrence of the House is respectfully requested.

COMMITTEE MEETINGS

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 27, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 726

ELECTIONS

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 5.

Public hearings to be held on: HJR 25, HB 867, HB 1074

LOCAL GOVERNMENT

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 416, HB 103, HB 913

RULES - PURSUANT TO RULE 25(21)(f)

Monday, March 26, 2007, Hearing Room 5 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 882, HB 915, HB 916, HB 791, HCS HB 796, HCS HB 752, HCS HB 261, HCS HB 892, HCS HB 845, HCS HB 124, HCS HB 619 & 118, HCS HB 945, HCS HB 1002, HCS HB 184, HCS HB 735, HCS HB 818, HCS HB 493, HCS HB 512, HB 1, HCS HB 2, HCS HB 3, HCS HB 4, HCS HB 5, HCS HB 6, HCS HB 7, HCS HB 8, HCS HB 9, HCS HB 10, HCS HB 11, HCS HB 12, HCS HB 13

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 27, 2007, 1:00 p.m. Hearing Room 2.

Executive session ONLY.

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCS HB 218, HB 407, SCR 18

TRANSPORTATION

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Work session on Omnibus bill.

Public hearings to be held on: HB 510, HB 642, HB 738

HOUSE CALENDAR

FORTY-FOURTH DAY, MONDAY, MARCH 26, 2007

HOUSE BILLS FOR SECOND READING

HB 1153 through HB 1156

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 131 - Cooper (120)
- 3 HCS HB 90 - St. Onge
- 4 HCS HB 851 - Onder
- 5 HCS HB 889 - Emery
- 6 HCS HB 820 - Moore
- 7 HCS HB 111 - Cunningham (145)
- 8 HB 213 - Cunningham (86)
- 9 HCS HB 448 - Spreng
- 10 HCS HB 466 - Schaaf
- 11 HCS HB 365, 804 & 805 - Ervin
- 12 HCS HB 182 - Bruns
- 13 HCS HB 338 - Tilley
- 14 HCS HB 827 - Muschany
- 15 HCS HB 771 - Bearden
- 16 HCS HB 165 - Cooper (120)
- 17 HCS HB 180, 396 & 615 - Day
- 18 HCS HB 238 - Yates
- 19 HB 360 - Robb

- 20 HCS HB 788 - Cooper (155)
- 21 HCS HB 551 - Dempsey
- 22 HCS HB 218 - Stevenson
- 23 HB 224 - Franz
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- 46 HCS HB 914 - Wasson

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- 3 HB 527 - Cooper (120)
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- 6 HB 546 - Schaaf
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- 8 HCS HB 431 - Pratt
- 9 HCS HB 894 - Hoskins

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- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)
- 3 HB 744 - St. Onge
- 4 HB 987 - Wasson

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(3/14/07)

- 1 HB 933 - Grill
- 2 HB 1014 - Wright

(3/16/07)

- 1 HB 41 - Portwood
- 2 HB 428 - Cox
- 3 HCS HB 616 - Wood
- 4 HB 684 - Bruns
- 5 HB 740 - Pearce
- 6 HB 941 - Kingery

HOUSE BILL FOR THIRD READING

HCS HB 364, (Fiscal Review 3-15-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin
- 7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-FOURTH DAY, MONDAY, MARCH 26, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Who is like You, O Lord? Who is like You, majestic in holiness, awesome in praises, working wonders?

We return to the work at hand, invigorated, having spent quality time with family, obtaining some rest and now prepared to face the essential tasks ahead.

Help us to remain watchful, responsive to the present, pressing needs of our constituents while having the perceptive ability to forge a clear path for future generations.

May we never settle into smugness, pride or apathy, but rather yield to wisdom, good judgment and insightfulness.

Now to Him Who is able to keep us from stumbling, and present us faultless before the presence of Your glory with exceeding joy, to You, Who alone is wise, be glory and majesty, dominion and power, both now and forever.

To You we pray, in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-second day was approved as printed.

The Journal of the forty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1348 through House Resolution No. 1432

SECOND READING OF HOUSE BILLS

HB 1153 through **HB 1156** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 131, relating to sales and use tax exemptions, was taken up by Representative Cooper (120).

Representative Cooper (120) offered **House Amendment No. 1.***House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 131, Page 2, Section 144.054, Line 19, by inserting after all of said line the following:

"144.518. **1.** In addition to the exemptions granted pursuant to section 144.030, there is hereby specifically exempted from the provisions of sections [66.600 to 66.635, RSMo, sections 67.391 to 67.395, RSMo, sections 67.500 to 67.545, RSMo, section 67.547, RSMo, sections 67.550 to 67.594, RSMo, sections 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.700 to 67.727, RSMo, section 67.729, RSMo, sections 67.730 to 67.739, RSMo, sections 67.1000 to 67.1012, RSMo, section 82.850, RSMo, sections 92.325 to 92.340, RSMo, sections 92.400 to 92.421, RSMo, sections 94.500 to 94.570, RSMo, section 94.577, RSMo, sections 94.600 to 94.655, RSMo, section 94.660, RSMo, sections 94.700 to 94.755, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections] 144.010 to 144.525, [and] sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, [sections] **section 238.235 [and] , RSMo, section 238.236, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, [and] section 644.032, RSMo, and any local sales tax law as defined in section 32.085, RSMo, and** from the computation of the tax levied, assessed or payable pursuant to sections [66.600 to 66.635, RSMo, sections 67.391 to 67.395, RSMo, sections 67.500 to 67.545, RSMo, section 67.547, RSMo, sections 67.550 to 67.594, RSMo, sections 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.700 to 67.727, RSMo, section 67.729, RSMo, sections 67.730 to 67.739, RSMo, sections 67.1000 to 67.1012, RSMo, section 82.850, RSMo, sections 92.325 to 92.340, RSMo, sections 92.400 to 92.421, RSMo, sections 94.500 to 94.570, RSMo, section 94.577, RSMo, sections 94.600 to 94.655, RSMo, section 94.660, RSMo, sections 94.700 to 94.755, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections] 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, [sections] **section 238.235 [and] , RSMo, section 238.236, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, [and] section 644.032, RSMo, [machines or parts for machines used in a commercial, coin-operated amusement and vending business] and any local sales tax law as defined in section 32.085, RSMo, coin-operated amusement devices and parts for such devices purchased prior to September 1, 2007, where sales tax is paid on the gross receipts derived from the use of [commercial, coin-operated amusement and vending machines] such devices.**

2. Beginning September 1, 2007, in addition to any other exemption provided by law, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.236, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, section 644.032, RSMo, and any local sales tax law as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed, or payable pursuant to sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.236, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, section 644.032, RSMo, and any local sales tax law as defined in section 32.085, RSMo, amounts paid for the temporary use of a coin-operated amusement device.

3. As used in this section, "coin-operated amusement device" means a device accepting payment or items representing payments to allow one or more users temporary use of the device for entertainment or amusement purposes. Examples of coin-operated amusement devices include, but are not limited to, video games, pinball games, table games such as billiards and air hockey, and redemption games such as the claw and skee ball that may award prizes of tangible personal property.

4. In addition to any other exemptions provided by law, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.236, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, section 644.032, RSMo, and any local sales tax law as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed, or payable pursuant to sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.236, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, section 644.032, RSMo, and any local sales tax law as defined in section 32.085, RSMo, vending machines or parts for vending machines used in a commercial vending business where sales tax is paid on the gross receipts derived from such vending machines."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted.

Representative Cooper (120) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 131, Page 2, Section 144.054, Line 17, by inserting immediately following the word "**consumed**" the following:

"directly in television or radio broadcasting or used or consumed"; and

Further amend said section, Line 19, by inserting immediately following the word "**product**" the following:

"and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, RSMo, and tangible personal property brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 2** was adopted.

Representative Skaggs offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 131, Page 2, Section 144.054, Line 19, by inserting after all of said line the following:

"137.1014. 1. As used in this section the following terms mean:

(1) "Eligible expenses", expenses incurred in this state to manufacture, maintain, or improve a freight line company's qualified rolling stock;

(2) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied pursuant to this section.

2. A freight line company is allowed a credit against the tax levied pursuant to section 137.1018 for the applicable tax year equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit pursuant to this section is claimed.

3. The sum of the credits pursuant to subsection 2 of this section shall not exceed a freight line company's liability for the tax levied pursuant to this section in the tax year in which the credit is claimed.

4. A freight line company may apply for the credit pursuant to subsection 2 of this section by submitting to the commission an application in the form prescribed by the state tax commission.

5. The state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 3** was adopted.

Representative Faith offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 131, Page 1, Section A, Line 2, by inserting after all of said line the following:

"142.817. Motor fuel sold to be used to operate public mass transportation service by a city transit authority, a city utilities board, or an interstate transportation authority, as such terms are defined in section 94.600, RSMo, a city, or an agency receiving funding from either the Federal Transit Administration's urban or nonurban formula transit programs is exempt from the fuel tax imposed by this chapter. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said bill, Page 2, Section 144.054, Line 19, by inserting after all of said line the following:

"144.062. 1. With respect to exempt sales at retail of tangible personal property and materials for the purpose of constructing, repairing or remodeling facilities for:

(1) A county, other political subdivision or instrumentality thereof exempt from taxation under subdivision (10) of section 39 of article III of the Constitution of Missouri; or

(2) An organization sales to which are exempt from taxation under the provisions of subdivision (19) of subsection 2 of section 144.030; or

(3) Any institution of higher education supported by public funds or any private not-for-profit institution of higher education, exempt from taxation under subdivision (20) of subsection 2 of section 144.030; or

(4) Any private not-for-profit elementary or secondary school exempt from taxation under subdivision (22) of subsection 2 of section 144.030; or

(5) After June 30, 2008, the department of transportation or the state highways and transportation commission, hereinafter collectively referred to as exempt entities, such exemptions shall be allowed for such purchases if the purchases are related to the entities' exempt functions and activities. In addition, the sales shall not be rendered nonexempt nor shall any material supplier or contractor be obligated to pay, collect or remit sales tax with respect to such purchases made by or on behalf of an exempt entity due to such purchases being billed to or paid for by a contractor or the exempt entity contracting with any entity to render any services in relation to such purchases, including but not limited to selection of materials, ordering, pickup, delivery, approval on delivery, taking of delivery, transportation, storage, assumption of risk of loss to materials or providing warranties on materials as specified by contract, use of materials or other purchases for construction of the building or other facility, providing labor, management services, administrative services, design or technical services or advice to the exempt entity, whether or not the contractor or other entity exercises dominion or control in any other manner over the materials in conjunction with services or labor provided to the exempt entity.

2. When any exempt entity contracts for the purpose of constructing, repairing or remodeling facilities, and purchases of tangible personal property and materials to be incorporated into or consumed in the construction of the project are to be made on a tax-exempt basis, such entity shall furnish to the contractor an exemption certificate authorizing such purchases for the construction, repair or remodeling project. The form and content of such project exemption certificate shall be approved by the director of revenue. The project exemption certificate shall include but not be limited to:

(1) The exempt entity's name, address, Missouri tax identification number and signature of authorized representative;

(2) The project location, description, and unique identification number;

(3) The date the contract is entered into, which is the earliest date materials may be purchased for the project on a tax-exempt basis;

(4) The estimated project completion date; and

(5) The certificate expiration date.

Such certificate is renewable for a given project at the option of the exempt entity, only for the purpose of revising the certificate expiration date as necessary to complete the project.

3. The contractor shall furnish the certificate prescribed in subsection 2 of this section to all subcontractors, and any contractor purchasing materials shall present such certificate to all material suppliers as authorization to purchase, on behalf of the exempt entity, all tangible personal property and materials to be incorporated into or consumed in the construction of that project and no other on a tax-exempt basis. Such suppliers shall execute to the purchasing contractor invoices bearing the name of the exempt entity and the project identification number. Nothing in this section shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in constructing, repairing or remodeling facilities for the exempt entity. All invoices for all personal property and materials purchased under a project exemption certificate shall be retained by the purchasing contractor for a period of five years and shall be subject to audit by the director of revenue.

4. Any excess resalable tangible personal property or materials which were purchased for the project by a contractor under a project exemption certificate but which were not incorporated into or consumed in the construction of the project shall either be returned to the supplier for credit or the appropriate sales or use tax on such excess property or materials shall be reported on a return and paid by such contractor not later than the due date of the contractor's Missouri sales or use tax return following the month in which it was determined that the materials were not to be used in the project.

5. No contractor or material supplier shall, upon audit, be required to pay tax on tangible personal property and materials incorporated into or consumed in the construction of the project, due to the failure of the exempt entity to revise the certificate expiration date as necessary to complete any work required by the contract. If it is determined that tax is owed on such property and materials due to the failure of the exempt entity to revise such certificate expiration date, the exempt entity shall be liable for the tax owed.

6. If an entity issues exemption certificates for the purchase of tangible personal property and materials which are incorporated into or consumed in the construction of its project and such entity is found not to have had the authority granted by this section to issue such exemption certificates, then such entity shall be liable for the tax owed on such personal property and materials. In addition, if an entity which does have the authority granted by this section to issue exemption certificates issues such certificates for the purchase of tangible personal property and materials which are incorporated into or consumed in the construction of a project, or part of a project, which is found not to be related to such entity's exempt functions and activities, then such entity shall be liable for the tax owed on such personal property and materials.

Section 1. 1. Notwithstanding any rule or law to the contrary, the department of revenue shall promulgate a uniform and simplified rule for all motor fuel tax exemptions. This uniform and simplified rule shall preempt all similar existing rules, shall minimize, if applicable, the time between requesting a refund and receiving a refund, and shall ensure that any document and administrative burdens be kept to a minimum and be shared equitably by the fuel wholesaler or fuel retailer and the tax exempt entity.

2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 4** was adopted.

Representative Pratt offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 131, Page 1, Section A, by inserting after all of said section the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as

may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824, RSMo; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310, RSMo) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation, slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms "motor vehicle" and "highway" shall have the same meaning pursuant to section 301.010, RSMo. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, RSMo, solely in the transportation of persons or property in interstate commerce;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200, RSMo. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the air conservation commission which may uphold or reverse such action;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the Missouri clean water commission which may uphold or reverse such action;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any

fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530, RSMo;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, RSMo, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, RSMo, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use;

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536, RSMo, to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441, RSMo, or sections 238.010 to 238.100, RSMo, in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of subsection 2 of this section;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property purchased for use or consumption directly or exclusively in the research and development of prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, RSMo, and licensed pursuant to sections 273.325 to 273.357, RSMo;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) Tangible personal property purchased for use or consumption directly or exclusively in research or experimentation activities performed by life science companies and so certified as such by the director of the department of economic development or the director's designees; except that, the total amount of exemptions certified pursuant to this section shall not exceed one million three hundred thousand dollars in state and local taxes per fiscal year. For purposes of this subdivision, the term "life science companies" means companies whose primary research activities are in agriculture, pharmaceuticals, biomedical or food ingredients, and whose North American Industry Classification System (NAICS) Codes fall under industry 541710 (biotech research or development laboratories), 621511 (medical laboratories) or 541940 (veterinary services). The exemption provided by this subdivision shall expire on June 30, 2003;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441, RSMo, or sections 238.010 to 238.100, RSMo; [and]

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably

be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event; **and**

(40) All purchases by an authority created pursuant to section 64.920 RSMo."; and

Further amend said bill, Page 2, Section 144.054, by inserting after all of said section the following:

"144.062. 1. With respect to exempt sales at retail of tangible personal property and materials for the purpose of constructing, repairing or remodeling facilities for: (1) a county, other political subdivision or instrumentality thereof exempt from taxation under subdivision (10) of section 39 of article III of the Constitution of Missouri; or (2) an organization sales to which are exempt from taxation under the provisions of subdivision (19) of subsection 2 of section 144.030; or (3) any institution of higher education supported by public funds or any private not-for-profit institution of higher education, exempt from taxation under subdivision (20) **or authority exempt from taxation under subdivision (40)** of subsection 2 of section 144.030; or (4) any private not-for-profit elementary or secondary school exempt from taxation under subdivision (22) of subsection 2 of section 144.030, hereinafter collectively referred to as exempt entities, such exemptions shall be allowed for such purchases if the purchases are related to the entities' exempt functions and activities. In addition, the sales shall not be rendered nonexempt nor shall any material supplier or contractor be obligated to pay, collect or remit sales tax with respect to such purchases made by or on behalf of an exempt entity due to such purchases being billed to or paid for by a contractor or the exempt entity contracting with any entity to render any services in relation to such purchases, including but not limited to selection of materials, ordering, pickup, delivery, approval on delivery, taking of delivery, transportation, storage, assumption of risk of loss to materials or providing warranties on materials as specified by contract, use of materials or other purchases for construction of the building or other facility, providing labor, management services, administrative services, design or technical services or advice to the exempt entity, whether or not the contractor or other entity exercises dominion or control in any other manner over the materials in conjunction with services or labor provided to the exempt entity.

2. When any exempt entity contracts for the purpose of constructing, repairing or remodeling facilities, and purchases of tangible personal property and materials to be incorporated into or consumed in the construction of the project are to be made on a tax-exempt basis, such entity shall furnish to the contractor an exemption certificate authorizing such purchases for the construction, repair or remodeling project. The form and content of such project exemption certificate shall be approved by the director of revenue. The project exemption certificate shall include but not be limited to:

- (1) The exempt entity's name, address, Missouri tax identification number and signature of authorized representative;
- (2) The project location, description, and unique identification number;
- (3) The date the contract is entered into, which is the earliest date materials may be purchased for the project on a tax-exempt basis;
- (4) The estimated project completion date; and
- (5) The certificate expiration date.

Such certificate is renewable for a given project at the option of the exempt entity, only for the purpose of revising the certificate expiration date as necessary to complete the project.

3. The contractor shall furnish the certificate prescribed in subsection 2 of this section to all subcontractors, and any contractor purchasing materials shall present such certificate to all material suppliers as authorization to purchase, on behalf of the exempt entity, all tangible personal property and materials to be incorporated into or consumed in the construction of that project and no other on a tax-exempt basis. Such suppliers shall execute to the purchasing contractor invoices bearing the name of the exempt entity and the project identification number. Nothing in this section shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in constructing, repairing or remodeling facilities for the exempt entity. All invoices for all personal property and materials purchased under a project exemption certificate shall be retained by the purchasing contractor for a period of five years and shall be subject to audit by the director of revenue.

4. Any excess resalable tangible personal property or materials which were purchased for the project by a contractor under a project exemption certificate but which were not incorporated into or consumed in the construction of the project shall either be returned to the supplier for credit or the appropriate sales or use tax on such excess property or materials shall be reported on a return and paid by such contractor not later than the due date of the contractor's Missouri sales or use tax return following the month in which it was determined that the materials were not to be used in the project.

5. No contractor or material supplier shall, upon audit, be required to pay tax on tangible personal property and materials incorporated into or consumed in the construction of the project, due to the failure of the exempt entity to revise

the certificate expiration date as necessary to complete any work required by the contract. If it is determined that tax is owed on such property and materials due to the failure of the exempt entity to revise such certificate expiration date, the exempt entity shall be liable for the tax owed.

6. If an entity issues exemption certificates for the purchase of tangible personal property and materials which are incorporated into or consumed in the construction of its project and such entity is found not to have had the authority granted by this section to issue such exemption certificates, then such entity shall be liable for the tax owed on such personal property and materials. In addition, if an entity which does have the authority granted by this section to issue exemption certificates issues such certificates for the purchase of tangible personal property and materials which are incorporated into or consumed in the construction of a project, or part of a project, which is found not to be related to such entity's exempt functions and activities, then such entity shall be liable for the tax owed on such personal property and materials."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pratt, **House Amendment No. 5** was adopted.

On motion of Representative Cooper (120), **HCS HB 131, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS HB 131, as amended**, was ordered perfected and printed.

HCS HB 851, relating to the enforcement of immigration laws, was taken up by Representative Onder.

Representative Burnett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 851, Page 1, Section 28.824, Line 1, by deleting the word "shall" and insert instead the word "may"; and

Further amend Line 5, by deleting the word "shall" and insert instead the word "may"; and

Further amend Line 7, by deleting the word "shall" and insert instead the word "may"; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Daus
Donnelly	Dougherty	El-Amin	Fallert	Fares
Flook	Frame	George	Grill	Holsman
Hubbard	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Schoemehl	Skaggs	Spreng
Storch	Talboy	Todd	Villa	Vogt

Walsh	Walton	Whorton	Wildberger	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

NOES: 095

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fisher	Franz	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Hoskins	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Brown 50	Darrough	Day
Funderburk	Haywood	Hughes	Kraus	

On motion of Representative Onder, **HCS HB 851** was adopted.

On motion of Representative Onder, **HCS HB 851** was ordered perfected and printed.

HCS HB 165, relating to the establishment of the 2007 Municipal Telecommunications Business License Simplification Act, was taken up by Representative Cooper (120).

Representative Silvey assumed the Chair.

Speaker Jetton assumed the Chair.

On motion of Representative Cooper (120), **HCS HB 165** was adopted.

On motion of Representative Cooper (120), **HCS HB 165** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 527, relating to corporate name reservations, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HB 527** was ordered perfected and printed.

HB 579, relating to civil defense, was taken up by Representative Dempsey.

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 579, Section 44.045, Page 2, Line 15, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to allow for management of health services in an emergency, the enactment of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 1** was adopted.

On motion of Representative Dempsey, **HB 579, as amended**, was ordered perfected and printed.

HB 546, relating to jury duty, was taken up by Representative Schaaf.

Representative Dougherty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 546, Page 2, Section 494.430, Lines 8 and 9, by deleting all of said lines and inserting in lieu thereof the following:

"(3) Any person upon whom service as a juror would in the judgment of the court impose an undue financial hardship;"; and

Further amend said section, Line 19, by inserting after all of said line the following:

"(7) Any person upon whom service as a juror would impose undue physical hardship may contact the court to be exempted from service as a juror if service would be detrimental to the health of the person. The court may request verification of physical hardship from the potential juror's physician. For the purposes of this section, personal appearance is not necessary."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sander offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 546, Page 1, Line 4, by inserting immediately after said line the following:

Further amend said section, Lines 18 and 19, by deleting the words **"her own child not exceeding two years of age"**; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sander moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Dougherty moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

HB 546 was laid over.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS#2 SCS SB 161 - Special Committee on Student Achievement

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SB 322 - Special Committee on Urban Issues

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1157, introduced by Representative Wasson, relating to fire sprinkler installer contractors.

HB 1158, introduced by Representative Bland, relating to the Missouri Consolidated Health Care Plan.

HB 1159, introduced by Representative Portwood, relating to fire departments.

HB 1160, introduced by Representative Corcoran, relating to fire departments.

HB 1161, introduced by Representatives Cunningham (86), Ruestman, Day and Nieves, relating to public school teachers.

HB 1162, introduced by Representative Schaaf, relating to emergency services.

HB 1163, introduced by Representative Schaaf, relating to consolidation of political subdivisions.

HB 1164, introduced by Representatives Scharnhorst, Cunningham (86), Robb, Pollock, Faith, Muschany and Cooper (158), relating to HVAC services.

HB 1165, introduced by Representative Yates, relating to bail bonds.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 133**, entitled:

An act to repeal section 162.963, RSMo, and to enact in lieu thereof one new section relating to special education due process hearings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 138**, entitled:

An act to repeal sections 115.315 and 115.327, RSMo, and to enact in lieu thereof two new sections relating to formation of a new political party.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 150**, entitled:

An act to repeal section 409.107, RSMo, and to enact in lieu thereof one new section relating to law firm and investment firm contributions in support of bond elections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 333**, entitled:

An act to repeal sections 192.745, 199.001, 199.003, 199.009, and 304.028, RSMo, and to enact in lieu thereof five new sections relating to the brain injury advisory council.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 369**, entitled:

An act to repeal sections 43.030, 43.060, and 590.030, RSMo, and to enact in lieu thereof three new sections relating to requirements for certain law enforcement personnel.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 426**, entitled:

An act to repeal section 477.600, RSMo, and to enact in lieu thereof one new section relating to annual judicial reports.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 478**, entitled:

An act to repeal section 313.820, RSMo, and to enact in lieu thereof one new section relating to excursion gambling boat admission fee revenues.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 482**, entitled:

An act to repeal sections 337.700, 337.715, and 337.718, RSMo, and to enact in lieu thereof three new sections relating to family and marital therapists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 488**, entitled:

An act to repeal sections 261.035, 261.230, 261.235, 261.239, and 265.200, RSMo, and to enact in lieu thereof five new sections relating to the department of agriculture.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 497**, entitled:

An act to repeal sections 58.500, 58.510, 110.130, 110.140, 110.150, and 473.743, RSMo, and to enact in lieu thereof five new sections relating to county officials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 498**, entitled:

An act to repeal section 337.510, RSMo, and to enact in lieu thereof one new section relating to professional counselors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 502**, entitled:

An act to authorize the conveyance of property owned by the state in Johnson County to the City of Warrensburg.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 509**, entitled:

An act to repeal section 337.715, RSMo, and to enact in lieu thereof one new section relating to marital and family therapists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 510**, entitled:

An act to repeal sections 214.275 and 214.340, RSMo, and to enact in lieu thereof two new sections relating to cemeteries.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 516**, entitled:

An act to repeal section 517.041, RSMo, and to enact in lieu thereof one new section relating to service of process in cases before associate circuit judges.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 525**, entitled:

An act to repeal sections 333.011 and 333.121, RSMo, and to enact in lieu thereof two new sections relating to embalmers and funeral directors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 526**, entitled:

An act to repeal sections 339.507, 339.519, 339.521, 339.525, and 339.532, RSMo, and to enact in lieu thereof five new sections relating to real estate appraisers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 549**, entitled:

An act to repeal section 227.299, RSMo, and to enact in lieu thereof one new section relating to memorial highway designations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 550**, entitled:

An act to repeal sections 43.010, 43.030, 43.090, 43.110, 43.120, 43.140, 43.210, and 43.220, RSMo, and to enact in lieu thereof eight new sections relating to the Missouri state highway patrol.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 559**, entitled:

An act to repeal section 246.005, RSMo, and to enact in lieu thereof one new section relating to levee districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 594**, entitled:

An act to repeal sections 105.961, 105.963, and 130.057, RSMo, and to enact in lieu thereof three new sections relating to ethics, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 671**, entitled:

An act to repeal sections 70.515 and 70.545, RSMo, and to enact in lieu thereof two new sections relating to the regional investment district compact.

In which the concurrence of the House is respectfully requested.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

March 22, 2007

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
94th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2007.

On March 22, 2007, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14**.

Respectfully submitted,

/s/ Matt Blunt
Governor

RECESS

On motion of Representative Dempsey, the House recessed until such time that the Supplemental Calendar is distributed, and then stand adjourned until 10:00 a.m., Tuesday, March 27, 2007.

COMMITTEE REPORTS

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **HB 343**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 9**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 10**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR

MARCH 26, 2007

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1 - Icet
- 2 HCS HB 2 - Icet
- 3 HCS HB 3 - Icet
- 4 HCS HB 4 - Icet
- 5 HCS HB 5 - Icet

- 6 HCS HB 6 - Icet
- 7 HCS HB 7 - Icet
- 8 HCS HB 8 - Icet
- 9 HCS HB 9 - Icet
- 10 HCS HB 10 - Icet
- 11 HCS HB 11 - Icet
- 12 HCS HB 12 - Icet
- 13 HCS HB 13 - Icet

The following member's presence was noted: Kraus.

ADJOURNMENT

Pursuant to the motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, March 27, 2007.

COMMITTEE MEETINGS

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 28, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 1023, HB 647, SCS SB 420

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, March 27, 2007, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SCS SB 115, SB 152, SCS SB 288

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 27, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 726

ELECTIONS

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 5.

Public hearings to be held on: HJR 25, HB 867, HB 1074

HEALTH CARE POLICY

Tuesday, March 27, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 803

HIGHER EDUCATION

Tuesday, March 27, 2007, 5:00 p.m. Hearing Room 1.

Executive session will be held on: HB 249, HB 532, HB 613

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, March 28, 2007, 7:00 a.m. Senate Lounge.

11 CSR 45-13.055 - Department of Public Safety, Missouri Gaming Commission, Hearings, Emergency Order Suspending License Privileges - Expedited Hearing.

JUDICIARY

Tuesday, March 27, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 504, HB 763, HB 822, HB 930

LOCAL GOVERNMENT

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 416, HB 103, HB 913

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearing to be held on: SB 315

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, March 27, 2007, 1:00 p.m. Hearing Room 2.

Executive session ONLY.

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, March 28, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 821, HB 1055

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, March 28, 2007, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 868, SS SB 195

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 218, SB 407, SCR 18

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, March 27, 2007, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Working session will be held in regards to Medicaid reform. AMENDED

Public hearings to be held on: SB 298, SCS SB 397

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 28, 2007, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 758, HB 995

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, March 27, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1034, HB 1089, SB 233

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, March 27, 2007, Hearing Room 7, 5:00 p.m. or upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 258, HB 589

TRANSPORTATION

Tuesday, March 27, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Work session on Omnibus bill.

Public hearings to be held on: HB 510, HB 642, HB 738

HOUSE CALENDAR

FORTY-FIFTH DAY, TUESDAY, MARCH 27, 2007

HOUSE BILLS FOR SECOND READING

HB 1157 through HB 1165

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 21 - Cooper (120)

2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1 HB 1 - Icet

2 HCS HB 2 - Icet

3 HCS HB 3 - Icet

4 HCS HB 4 - Icet

5 HCS HB 5 - Icet

6 HCS HB 6 - Icet

7 HCS HB 7 - Icet

8 HCS HB 8 - Icet

9 HCS HB 9 - Icet

10 HCS HB 10 - Icet

11 HCS HB 11 - Icet

- 12 HCS HB 12 - Icet
- 13 HCS HB 13 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 90 - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 820 - Moore
- 5 HCS HB 111 - Cunningham (145)
- 6 HB 213 - Cunningham (86)
- 7 HCS HB 448 - Spreng
- 8 HCS HB 466 - Schaaf
- 9 HCS HBs 365, 804 & 805 - Ervin
- 10 HCS HB 182 - Bruns
- 11 HCS HB 338 - Tilley
- 12 HCS HB 827 - Muschany
- 13 HCS HB 771 - Bearden
- 14 HCS HBs 180, 396 & 615 - Day
- 15 HCS HB 238 - Yates
- 16 HB 360 - Robb
- 17 HCS HB 788 - Cooper (155)
- 18 HCS HB 551 - Dempsey
- 19 HCS HB 218 - Stevenson
- 20 HB 224 - Franz
- 21 HCS HB 104 - Meiners
- 22 HB 42 - Portwood
- 23 HB 56 - Sater
- 24 HCS HB 181 - Sander
- 25 HB 233 - Tilley
- 26 HB 554 - Cooper (155)
- 27 HCS HB 555 - Cooper (155)
- 28 HB 574 - St. Onge
- 29 HB 596 - St. Onge
- 30 HCS HB 811 - Schad
- 31 HCS HB 245 - St. Onge
- 32 HB 412 - Emery
- 33 HCS HB 457 - Sutherland
- 34 HB 462 - Munzlinger
- 35 HB 215 - Stevenson
- 36 HB 432 - Schaaf
- 37 HB 482 - Walton
- 38 HCS HB 699 - Tilley
- 39 HCS HB 768 - St. Onge
- 40 HCS HB 795 - Flook
- 41 HCS HB 122 - Nance

- 42 HCS HB 891 - Kratky
- 43 HCS HB 914 - Wasson

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 669 - Pearce
- 2 HB 546 - Schaaf
- 3 HCS#2 HB 28 - Cunningham (86)
- 4 HCS HB 431 - Pratt
- 5 HCS HB 894 - Hoskins

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 265 - Cunningham (86)
- 2 HB 267 - Jones (117)
- 3 HB 744 - St. Onge
- 4 HB 987 - Wasson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/14/07)

- 1 HB 933 - Grill
- 2 HB 1014 - Wright

(3/16/07)

- 1 HB 41 - Portwood
- 2 HB 428 - Cox
- 3 HCS HB 616 - Wood
- 4 HB 684 - Bruns
- 5 HB 740 - Pearce
- 6 HB 941 - Kingery

HOUSE BILL FOR THIRD READING

HCS HB 364, (Fiscal Review 3-15-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILLS FOR SECOND READING

- 1 SB 133
- 2 SB 138
- 3 SCS SB 150

4	SCS SB 333
5	SCS SB 369
6	SB 426
7	SB 478
8	SCS SB 482
9	SB 488
10	SCS SB 497
11	SB 498
12	SB 502
13	SB 509
14	SB 510
15	SB 516
16	SCS SB 525
17	SCS SB 526
18	SB 549
19	SB 550
20	SB 559
21	SCS SB 594
22	SB 671

HOUSE CONCURRENT RESOLUTIONS

1	HCR 28, (2-27-07, Pages 438-439) - Walton
2	HCR 16, (2-21-07, Pages 435-436) - Deeken
3	HCR 17, (2-21-07, Page 437) - Fisher
4	HCR 30, (2-28-07, Page 508) - Pratt
5	HCR 8, (2-21-07, Pages 437-438) - Loehner
6	HCR 11, (3-07-07, Pages 583-584) - Ervin
7	HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

1	HR 65, (2-27-07, Page 491) - Schaaf
2	HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-FIFTH DAY, TUESDAY, MARCH 27, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, "the peoples speak of the splendor of Your glorious majesty, and tell of Your wondrous works."
(*Psalms 145:5*)

The new life bursting forth this Spring reveals You as Creator, who provides the resources needed for all the people. You give mankind "dominion over" (*Genesis 1*) all that You created.

As representatives of the people in this House, we have a special responsibility of distributive justice in this dominion over the resources of creation.

We ask You, O Lord, for the strength, courage, wisdom, and right judgment to do our part in distributing the resources of creation so that the basic needs of all the people are met.

We praise You as Creator, Lord, our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Julianna Margaret Basi, Eva Ann Williamson, Anna Henley, Brandi Gentry, Lucia Frayling, Kylie Arellano, Victoria Wilson, Alexander Carl Basi, Danielle Varner, Anthony Gurera, Kelsey Schweikert, Hunter Palmer, Calieb Bennett and Caleb Hotchkins.

The Journal of the forty-fourth day was approved as printed.

SPECIAL RECOGNITION

Dr. George F. Fischer of Amity, Missouri, was introduced by Representative Schaaf and recognized as an Outstanding Missourian.

SECOND READING OF HOUSE BILLS

HB 1157 through **HB 1165** were read the second time.

SECOND READING OF SENATE BILLS

SB 133, SB 138, SCS SB 150, SCS SB 333, SCS SB 369, SB 426, SB 478, SCS SB 482, SB 488, SCS SB 497, SB 498, SB 502, SB 509, SB 510, SB 516, SCS SB 525, SCS SB 526, SB 549, SB 550, SB 559, SCS SB 594 and SB 671 were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 111, relating to veterans' survivor tuition grants, was taken up by Representative Cunningham (145).

Representative Schlottach assumed the Chair.

Representative Shively offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 111, Page 2, Section 173.234, Line 18, by striking the word "eighty" and inserting in lieu thereof the following "**fifty**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shively, **House Amendment No. 1** was adopted by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Daus
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Todd	Viebrock	Villa	Vogt

Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Bowman	Brown 30	Chappelle-Nadal	Curls
Darrough	Day	Grisamore	Haywood	Hughes
Hunter	Marsh	Tilley		

Representative Scavuzzo offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 111, Page 2, Section 173.234, Line 16, by striking the following "combat action" and inserting in lieu thereof the following "**activities occurring on active duty**"; and

Further amend said page and section, Line 18, by striking the following "in combat" and inserting in lieu thereof the following "**on active duty**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 111, as amended, with House Amendment No. 2, pending, was laid over.

PERFECTION OF HOUSE BILLS - FEDERAL MANDATE

HB 267, relating to special education hearings, was taken up by Representative Jones (117).

Representative Burnett raised a point of order that pursuant to Rule 38(b), **HB 267** is not properly before the House.

Representative Schlottach requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

On motion of Representative Jones (117), **HB 267** was ordered perfected and printed.

HB 265, relating to special education hearings, was taken up by Representative Cunningham (86).

Representative Burnett raised a point of order that pursuant to Rule 38(b), **HB 265** is not properly before the House.

Representative Schlottach requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Cunningham (86), **HB 265** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS#2 HB 28, relating to carriers of household goods, was taken up by Representative Cunningham (86).

Representative Pearce assumed the Chair.

HCS#2 HB 28 was laid over.

HCS HB 431, relating to business organizations, was taken up by Representative Pratt.

Representative Zimmerman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 431, Page 15, Section 351.459, Line 323, by inserting after all of said line the following:

"407.485. It shall be an unfair business practice, in violation of section 407.020, for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items for profit unless the donation receptacle displays a statement in bold letters at least one inch high and one inch wide that the donations are not for charitable organizations and will be resold for profit. In the event such for profit entity or natural person does provide some or all of the proceeds from the sale to a not for profit entity, the donation receptacle shall display in bold letters at least one inch high and one inch wide the percentage of proceeds donated to the not for profit as well as the name of the not for profit beneficiary."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zimmerman, **House Amendment No. 1** was adopted.

On motion of Representative Pratt, **HCS HB 431, as amended**, was adopted.

On motion of Representative Pratt, **HCS HB 431, as amended**, was ordered perfected and printed.

HCS HB 894, relating to independent candidates for election, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HCS HB 894** was adopted.

On motion of Representative Hoskins, **HCS HB 894** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 1, relating to appropriations, was taken up by Representative Icet.

HB 1 was laid over.

HCS HB 2, relating to appropriations, was taken up by Representative Icet.

HCS HB 2 was laid over.

HCS HB 3, relating to appropriations, was taken up by Representative Icet.

HCS HB 3 was laid over.

HCS HB 4, relating to appropriations, was taken up by Representative Icet.

HCS HB 4 was laid over.

HCS HB 5, relating to appropriations, was taken up by Representative Icet.

HCS HB 5 was laid over.

HCS HB 6, relating to appropriations, was taken up by Representative Icet.

HCS HB 6 was laid over.

HCS HB 7, relating to appropriations, was taken up by Representative Icet.

HCS HB 7 was laid over.

HCS HB 8, relating to appropriations, was taken up by Representative Icet.

HCS HB 8 was laid over.

HCS HB 9, relating to appropriations, was taken up by Representative Icet.

HCS HB 9 was laid over.

HCS HB 10, relating to appropriations, was taken up by Representative Icet.

HCS HB 10 was laid over.

HCS HB 11, relating to appropriations, was taken up by Representative Icet.

HCS HB 11 was laid over.

HCS HB 12, relating to appropriations, was taken up by Representative Icet.

HCS HB 12 was laid over.

HCS HB 13, relating to appropriations, was taken up by Representative Icet.

HCS HB 13 was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1433 through House Resolution No. 1499

HOUSE CONCURRENT RESOLUTION

Representative Roorda, et al., offered House Concurrent Resolution No. 45.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 1, relating to appropriations, was again taken up by Representative Icet.

Representative LeVota suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 123

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kuessner	Lampe
Lembke	LeVota	Lipke	Loehner	Lowe 44
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Portwood	Pratt	Quinn 7	Robb
Robinson	Roorda	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 150	St. Onge
Stream	Swinger	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 007

Daus	George	Meiners	Pollock	Stevenson
Vogt	Wright-Jones			

PRESENT: 006

Kraus	Low 39	Quinn 9	Smith 14	Whorton
Yates				

ABSENT WITH LEAVE: 027

Baker 25	Bland	Bowman	Brown 30	Bruns
Curls	Darrough	Day	Dixon	Grill
Haywood	Hughes	Johnson	Kratky	Liese
Marsh	Page	Richard	Rucker	Ruestman
Scavuzzo	Spreng	Storch	Sutherland	Todd
Walton	Wildberger			

HCS HB 1 was laid over.

HCS HB 2, relating to appropriations, was again taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2, Page 11, Section 2.250, Line 3, by deleting "\$165,000" and inserting "\$245,000"; and

Further amend said bill, Page 12, Section 2.295, Line 4, by deleting "\$2,033,747,289" and inserting "\$2,033,667,289".

On motion of Representative Icet, **House Amendment No. 1** was adopted.

Representative Moore offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 8, by deleting "\$37,682,000" and inserting "\$37,617,000"; and

Further amend said bill, Section 2.015, Line 16, by deleting "\$2,222,350,280" and inserting "\$2,222,285,280"; and

Further amend said bill, Page 12, Section 2.295, Line 4, by deleting "\$2,033,747,289" and inserting "\$2,033,682,289"; and

Adjust section and bill totals accordingly.

On motion of Representative Moore, **House Amendment No. 2** was adopted.

Representative Moore offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2, Page 11, Section 2.250, Line 3, by deleting "\$165,000" and inserting "\$230,000"; and

Adjust bill totals accordingly.

On motion of Representative Moore, **House Amendment No. 3** was adopted.

Representative Lampe offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 22, by deleting "5,200,000" and inserting in its place "2,600,000"; and

Adjust section and bill totals accordingly.

Representative Lampe moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Daus	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
McGhee	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Salva	Scavuzzo	Schieffer	Schneider	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Wallace
Walsh	Walton	Whorton	Wildberger	Witte
Wood	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

NOES: 084

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld

Tilley	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Bowman	Brown 30	Cox	Curls
Darrough	Day	Dougherty	Hughes	Marsh
Rucker	Stevenson	Viebrock		

Representative Bringer offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 22, by deleting “5,200,000” and inserting “2,600,000”; and

Adjusting section and bill totals accordingly.

Representative Bringer moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Johnson	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Wallace
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

NOES: 086

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Iceet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14

Smith 150	St. Onge	Stream	Sutherland	Thomson
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Brown 30	Cox	Curls	Darrough
Day	Hughes	Hunter	Komo	Marsh
Stevenson	Threlkeld			

Representative Lampe offered **House Amendment No. 6.**

Representative Jones (89) raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Oxford offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 2, Page 1, Section 2.005, Line 6, by deleting “2,370,732” and inserting “2,351,069”; and

Further amend said section, Line 7, by deleting “1,699,939” and inserting “1,691,622”; and

Further amend said section, Line 8, by deleting “4,070,671” and inserting “4,042,691”; and

Further amend said bill, Page 2, Section 2.015, Line 27, by deleting “42,539,529” and inserting “42,446,568”; and

Further amend said section, Line 28, by deleting “4,228,763” and inserting “4,223,398”; and

Further amend said section, Page 3, Line 32, by deleting “3,297,422,530” and inserting “3,297,324,204”; and

Further amend said bill, Page 4, Section 2.045, Line 6, by deleting “1,643,683” and inserting “1,632,096”; and

Further amend said section, Line 7, by deleting “7,442,074” and inserting “7,420,053”; and

Further amend said section, Line 12, by deleting “1,442,664” and inserting “1,435,634”; and

Further amend said section, Line 13, by deleting “2,940,138” and inserting “2,928,632”; and

Further amend said section, Line 18, by deleting “242,902” and inserting “241,511”; and

Further amend said section, Line 19, by deleting “2,352,624” and inserting “2,340,811”; and

Further amend said section, Line 24, by deleting “1,135,810” and inserting “1,128,138”; and

Further amend said section, Line 25, by deleting “53,115” and inserting “52,956”; and

Further amend said section, Line 26, by deleting “2,946,974” and inserting “2,944,934”; and

Further amend said section, Line 27, by deleting “20,199,984” and inserting “20,158,373”; and

Further amend said bill, Page 8, Section 2.175, Line 3, by deleting “25,584,074” and inserting “25,466,800”; and

Further amend said section, Line 5, by deleting “29,151,780” and inserting “29,034,506”; and

Further amend said bill, Page 11, Section 2.275, Line 6, by deleting “292,278” and inserting “291,650”; and

Further amend said section, Line 7, by deleting “51,136” and inserting “51,047”; and

Further amend said section, Line 10, by deleting “460,414” and inserting “459,697”; and

Further amend said bill, Page 11, Section 2.280, Line 6, by deleting “808,505” and inserting “806,582”; and

Further amend said section, Page 12, Line 7, by deleting “2,164,366” and inserting “2,181,684”; and

Further amend said section, Line 8, by deleting “547,990” and inserting “548,440”; and

Further amend said section, Line 11, by deleting “4,270,861” and inserting “4,268,608”; and

Adjust section and bill totals accordingly.

Representative Nieves assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Oxford moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

HCS HB 2, as amended, was laid over.

HCS HB 3, relating to appropriations, was again taken up by Representative Icet.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 3, Page 1, Section 3.005, Line 8, by deleting “741,089” and inserting “736,935”; and

Further amend said section, Line 9, by deleting “230,934” and inserting “229,536”; and

Further amend said bill, Page 2, Section 3.020, Line 4, by deleting “62,157” and inserting “61,318”; and

Further amend said bill, Page 4, Section 3.080, Line 3, by deleting “234,763” and inserting “233,272”; and

Further amend said page, Section 3.085, Line 3, by deleting “11,054,113” and inserting “11,044,020”; and
Adjust section and bill totals accordingly.

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

HCS HB 3 was laid over.

HCS HB 4, relating to appropriations, was again taken up by Representative Icet.

Representative Lembke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 4, Page 14, Section 4.305, Line 4, by deleting “6,300,000” and inserting “6,000,000”; and

Adjusting section and bill totals accordingly.

On motion of Representative Lembke, **House Amendment No. 1** was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bearden	Bivins	Brandom
Bringer	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Dempsey	Denison	Dethrow
Dixon	El-Amin	Emery	Ervin	Faith
Fisher	Flook	Franz	Funderburk	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kuessner	Lembke
LeVota	Lipke	May	McGhee	Meadows
Moore	Munzlinger	Nieves	Onder	Parson
Pollock	Portwood	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
Swinger	Talboy	Thomson	Tilley	Todd
Viebrock	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Mr Speaker				

NOES: 065

Aull	Baker 25	Bowman	Brown 50	Bruns
Burnett	Casey	Corcoran	Daus	Deeken
Donnelly	Dusenberg	Fallert	Fares	Frame
George	Grill	Grisamore	Harris 23	Haywood
Johnson	Kraus	Lampe	Liese	Loehner
Low 39	Lowe 44	McClanahan	Meiners	Muschany
Nance	Nasheed	Nolte	Norr	Oxford

Page	Pearce	Pratt	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schlottach	Schoemehl
Shively	Skaggs	Spreng	St. Onge	Storch
Stream	Sutherland	Threlkeld	Villa	Vogt
Wallace	Walsh	Walton	Whorton	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel

PRESENT: 002

Dougherty Robinson

ABSENT WITH LEAVE: 010

Bland	Brown 30	Chappelle-Nadal	Cox	Curls
Darrough	Day	Hughes	Kratky	Marsh

HCS HB 4, as amended, was laid over.

HCS HB 12, relating to appropriations, was again taken up by Representative Icet.

Speaker Jetton resumed the Chair.

Representative Lembke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 12, Page 2, Section 12.025, by inserting immediately thereafter one new section to read as follows:

"Section 12.027. To the Lieutenant Governor
For the Veterans Remembrance Project
From General Revenue Fund \$300,000"; and

Adjust bill totals accordingly.

Representative Yates raised a point of order that **House Amendment No. 1** was not distributed.

The Chair ruled the point of order not well taken.

On motion of Representative Lembke, **House Amendment No. 1** was adopted.

HCS HB 12, as amended, was laid over.

HCS HB 4, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Dixon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 4, Page 14, Section 4.305, Line 4, by deleting "6,300,000" and inserting "6,200,000"; and

Adjusting section and bill totals accordingly.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Dixon, **House Amendment No. 2** was adopted.

HCS HB 4, as amended, was laid over.

HCS HB 10, relating to appropriations, was again taken up by Representative Icet.

Representative Dixon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 10, Page 30, Section 10.660, Line 4, by deleting the number "10,605,026" and inserting "10,705,026"; and

Adjust section and bill totals accordingly.

On motion of Representative Dixon, **House Amendment No. 1** was adopted by the following vote:

AYES: 129

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hubbard	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Swinger	Thomson	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton

Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 020

Bruns	Daus	Dusenberg	Fares	George
Komo	Loehner	Low 39	Lowe 44	Pearce
Roorda	Scavuzzo	Schlottach	Schoemehl	Sutherland
Talboy	Threlkeld	Vogt	Yaeger	Yates

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 013

Bland	Brown 30	Cox	Curls	Darrough
Day	Dougherty	El-Amin	Hoskins	Hughes
Kratky	Marsh	Whorton		

HCS HB 10, as amended, was laid over.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 16 - Special Committee on Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HJR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 583**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 765**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on State Parks and Waterways, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HB 461**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 124**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 184**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 261**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 493**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 512**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 791**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 619 & 118**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 796**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 845**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 882**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 892**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 915**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 916**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 945**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1002**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 933** and **HB 1014**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 30, introduced by Representatives Denison, Jetton, Kingery, Cunningham (145), Ruestman, Schaaf, Wright, Pollock, Schoeller, Brandom, Faith, Thomson, Weter, Viebrock, Wood, Nance, Loehner, Parson, Ruzicka, Wells, Fisher and Franz, relating to stormwater control bonds.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1166, introduced by Representatives Cooper (158), Avery, McGhee and Lembke, relating to drug testing of construction company employees on school property.

HB 1167, introduced by Representatives Denison, Wells, Brandom, Thomson, Fisher, Franz, Dusenberg, Silvey and Pollock, relating to special collegiate license plates.

HB 1168, introduced by Representatives Bearden, Jetton, Muschany, Dixon, Portwood, Nieves, Silvey, Hunter, Wasson, Richard, Quinn (7), Smith (14), Hobbs, Schoeller, Lembke, Tilley, Hubbard, Ruestman, Cunningham (145), Threlkeld, Kraus, Cooper (120), Smith (150), Jones (89) and Icet, for the purpose of clarifying applicants for bar examinations.

HB 1169, introduced by Representatives May, Lipke, Wilson (119), Ruzicka, Ruestman and Wallace, relating to the crime of resisting or interfering with arrest.

HB 1170, introduced by Representatives May and Ruestman, relating to ethics.

HB 1171, introduced by Representative Avery, relating to fire departments.

HB 1172, introduced by Representative Harris (23), relating to the twenty-first century Missouri scholars program.

HB 1173, introduced by Representative Dixon, relating to bail.

HB 1174, introduced by Representatives Dusenberg, Yates, Pratt, LeVota, Grisamore and Kraus, relating to sexual offenders.

HB 1175, introduced by Representatives Baker (25), Daus, Whorton, Oxford and Wallace, relating to the disclosure of energy efficiency rating of new residential homes.

HB 1176, introduced by Representatives Baker (25), Roorda, McClanahan, Holsman, Lowe (44), Low (39), Lampe and Brown (50), relating to renewable energy.

HB 1177, introduced by Representative Harris (23), relating to angel investments.

HB 1178, introduced by Representatives Kratky and Hubbard, relating to community improvement districts.

HB 1179, introduced by Representative Portwood, relating to purchased merchandise from secondhand dealers.

HB 1180, introduced by Representative Harris (23), relating to video services.

HB 1181, introduced by Representatives Bowman, Page, Meadows, Roorda, Lipke, Kuessner, Fallert, Denison, Faith, Munzlinger, Jones (117), Dusenberg, Quinn (7), Bland, Haywood, Wright-Jones, Komo and St. Onge, relating to a memorial highway designation.

HB 1182, introduced by Representative Roorda, relating to fire departments.

HB 1183, introduced by Representatives Schoeller, Talboy, Portwood, Silvey and Low (39), relating to improvement districts.

HB 1184, introduced by Representative Dixon, relating to display of documents with religious content.

HB 1185, introduced by Representative Dixon, relating to school district tax alternatives.

HB 1186, introduced by Representative Dixon, relating to compulsory attendance for school age children.

HB 1187, introduced by Representative Dixon, relating to a children's bill of courtroom rights.

HB 1188, introduced by Representatives Faith, Dempsey, Onder, Smith (14) and Funderburk, relating to vacating roads.

HB 1189, introduced by Representative El-Amin, relating to the transfer of sodium bicarbonate.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, March 28, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCR 38, SCS SB 156

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 5.

Presentation of the Medicaid Management Information System (MMIS)
by the Department of Social Services.

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 28, 2007, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 1023, HB 647, SCS SB 420

ELECTIONS

Wednesday, March 28, 2007, Hearing Room 1 upon morning recess.

Executive session.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Wednesday, March 28, 2007, 7:00 a.m. Senate Lounge.

11 CSR 45-13.055 - Department of Public Safety, Missouri Gaming Commission,
Hearings, Emergency

Order Suspending License Privileges - Expedited Hearing.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Thursday, March 29, 2007, 2:30 p.m. Hearing Room 6.

Public hearing to be held on: SB 469

RULES

Wednesday, March 28, 2007, Hearing Room 3 upon afternoon recess.

Executive session may follow.

Public hearings to be held on: HR 7, HR 565, HR 810, HR 1036, HR 1041, HR 1306, HR 1321

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, March 28, 2007, Hearing Room 3 upon afternoon recess.

Executive session may follow.

Public hearings to be held on: HB 134, HB 801, HCS HB 343, HCS HB 329,
HCS HB 654 & 938, HCS HB 497, HCS HB 807 & 690, HCS HB 741,
HCS HB 765, HCS HB 583

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, March 28, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 821, HB 1055

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, March 28, 2007, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 868, SS SB 195

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, March 28, 2007, 5:00 p.m. Hearing Room 4.

Executive session will be held.

Committee will meet at 5:00 p.m. or upon afternoon recess, whichever comes first.

Public hearings to be held on: HB 85, HCR 33

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 28, 2007, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 758, HB 995

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 7.

Executive session will follow. AMENDED

Public hearings to be held on: SCS SB 308, SB 158, SCS SB 159, SCS SB 272, SB 281

Executive session will be held on: SCS SB 272, SB 281, SCS SB 308, SB 158, SCS SB 159

SPECIAL COMMITTEE ON RETIREMENT

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 127, SB 244, SB 172, SB 401,

SB 402, SB 403, SB 404, SB 406

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, March 28, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Committee will meet at 5:00 p.m. or upon afternoon recess, whichever comes first.

Public hearing to be held on: HB 98

SPECIAL COMMITTEE ON UTILITIES

Wednesday, March 28, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 280, SB 416

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 28, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 685

WAYS AND MEANS

Thursday, March 29, 2007, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 48, HB 176, HB 571, HB 750, HB 855

HOUSE CALENDAR

FORTY-SIXTH DAY, WEDNESDAY, MARCH 28, 2007

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 30

HOUSE BILLS FOR SECOND READING

HB 1166 through HB 1189

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HB 1 - Icet
- 2 HCS HB 2, as amended - Icet
- 3 HCS HB 3 - Icet
- 4 HCS HB 4, as amended - Icet
- 5 HCS HB 5 - Icet
- 6 HCS HB 6 - Icet
- 7 HCS HB 7 - Icet
- 8 HCS HB 8 - Icet
- 9 HCS HB 9 - Icet
- 10 HCS HB 10, as amended - Icet
- 11 HCS HB 11 - Icet
- 12 HCS HB 12, as amended - Icet
- 13 HCS HB 13 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 90 - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 820 - Moore
- 5 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 6 HB 213 - Cunningham (86)
- 7 HCS HB 448 - Spreng

- 8 HCS HB 466 - Schaaf
- 9 HCS HBs 365, 804 & 805 - Ervin
- 10 HCS HB 182 - Bruns
- 11 HCS HB 338 - Tilley
- 12 HCS HB 827 - Muschany
- 13 HCS HB 771 - Bearden
- 14 HCS HBs 180, 396 & 615 - Day
- 15 HCS HB 238 - Yates
- 16 HB 360 - Robb
- 17 HCS HB 788 - Cooper (155)
- 18 HCS HB 551 - Dempsey
- 19 HCS HB 218 - Stevenson
- 20 HB 224 - Franz
- 21 HCS HB 104 - Meiners
- 22 HB 42 - Portwood
- 23 HB 56 - Sater
- 24 HCS HB 181 - Sander
- 25 HB 233 - Tilley
- 26 HB 554 - Cooper (155)
- 27 HCS HB 555 - Cooper (155)
- 28 HB 574 - St. Onge
- 29 HB 596 - St. Onge
- 30 HCS HB 811 - Schad
- 31 HCS HB 245 - St. Onge
- 32 HB 412 - Emery
- 33 HCS HB 457 - Sutherland
- 34 HB 462 - Munzlinger
- 35 HB 215 - Stevenson
- 36 HB 432 - Schaaf
- 37 HB 482 - Walton
- 38 HCS HB 699 - Tilley
- 39 HCS HB 768 - St. Onge
- 40 HCS HB 795 - Flook
- 41 HCS HB 122 - Nance
- 42 HCS HB 891 - Kratky
- 43 HCS HB 914 - Wasson
- 44 HCS HB 159 - Bivins
- 45 HCS HB 184 - Dempsey
- 46 HCS HB 227 - Swinger
- 47 HCS HB 845 - Dixon
- 48 HCS HB 487 - Cooper (120)
- 49 HCS HB 892 - Day
- 50 HB 915 - Dougherty
- 51 HB 916 - Dougherty
- 52 HCS HB 945 - Parson
- 53 HCS HB 298 - Cooper (120)
- 54 HCS HB 493 - Baker (123)

- 55 HCS HB 512 - Pratt
- 56 HCS HB 261 - Yates
- 57 HCS HBs 619 & 118 - Aull
- 58 HB 746 - Franz
- 59 HB 791 - Wilson (130)
- 60 HB 882 - Page
- 61 HCS HB 1002 - Fisher
- 62 HCS HB 124 - Nance

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 669 - Pearce
- 2 HB 546 - Schaaf
- 3 HCS#2 HB 28 - Cunningham (86)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 744 - St. Onge
- 2 HB 987 - Wasson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/16/07)

- 1 HB 41 - Portwood
- 2 HB 428 - Cox
- 3 HCS HB 616 - Wood
- 4 HB 684 - Bruns
- 5 HB 740 - Pearce
- 6 HB 941 - Kingery

(3/28/07)

HCS HB 796 - Dethrow

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 364, (Fiscal Review 3-15-07) - Ervin
- 2 HCS HB 131 - Cooper (120)
- 3 HCS HB 851 - Onder
- 4 HCS HB 165 - Cooper (120)
- 5 HB 527 - Cooper (120)
- 6 HB 579 - Dempsey

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 910 - Fares
- 2 HB 933 - Grill
- 3 HB 1014 - Wright

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin
- 7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-SIXTH DAY, WEDNESDAY, MARCH 28, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Brian Baker.

Our Heavenly Father,

We give You praise and glory for the great and awesome God that You are. We are ever thankful for the grace and mercy You extend to us.

May we be ever mindful of the blessings You provide and may we be good stewards of that which You provide for us.

Lord, You have shown favor to our state. You have restored our prosperity and have provided hope for the future. May we never forget You are our salvation!

As we debate and discuss the issues of our day, let us remember we are all equal in Your eyes. Help us to remember that while we may disagree...we can work together for our fellow man. Let us remember that we are brothers and sisters in Your love.

Lord, we come with two special requests this morning.

First, please be with our special friend and colleague Jason Brown and all of our armed forces and those who fight for us in foreign lands. Be with them as they sleep in sand and dust...as they protect the innocent and defeat those who seek to do harm. May Your will be done in their lives.

Second, please be with the Limbach family and Megan Limbach during this difficult time of tragedy. We know that her three precious children...her three daughters are now in Your arms and under Your care. We can never pretend to understand Your will, but we know that these three little girls are now in a far better place and have no pain and no suffering. We ask of You...please give Megan and the Limbach family healing and a peace that passes all understanding.

Now as we begin our work...show us Your faithful love. Let us listen to Your Spirit. Let us remember You in our discourse. Let us remember that outside these four walls...real life is taking place and that You are watching over us.

How wonderful is Your name, O Lord.

We pray these things in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dakota McCaine, Paola Osorio, Cristian Ochoa, Kaitlyn Scott, Malinda Rinne, Kyle Brumfield and Kendra Brumfield.

Representative Sutherland assumed the Chair.

The Journal of the forty-fifth day was approved as printed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 008

Daus	Flook	Harris 23	Low 39	Lowe 44
Talboy	Vogt	Wright-Jones		

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 011

Bowman	Brown 30	Bruns	Darrough	Day
Frame	George	Hughes	Kratky	Marsh
Ruzicka				

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 30 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1166 through **HB 1189** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 245, relating to commercial driver's license tests, was taken up by Representative St. Onge.

Representative Daus offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 245, Page 2, Section 302.720, Lines 35 and 36, by striking the following:

"converse with the general public,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Daus, **House Amendment No. 1** was adopted.

On motion of Representative St. Onge, **HCS HB 245, as amended**, was adopted.

On motion of Representative St. Onge, **HCS HB 245, as amended**, was ordered perfected and printed.

HB 233, relating to the practice of chiropractic, was taken up by Representative Tilley.

On motion of Representative Tilley, **HB 233** was ordered perfected and printed.

HB 482, relating to counterfeiting, was taken up by Representative Walton.

On motion of Representative Walton, **HB 482** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 4, as amended, relating to appropriations, was taken up by Representative Icet.

Speaker Jetton resumed the Chair.

Representative Harris (23) offered **House Amendment No. 3**.

Representative Jones (89) raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Bruns offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 4, Page 14, Section 4.305, Line 4, by deleting "6,300,000" and inserting "5,660,000"; and

Adjusting section and bill totals accordingly.

Representative Hobbs assumed the Chair.

On motion of Representative Bruns, **House Amendment No. 4** was adopted.

HCS HB 4, as amended, was laid over.

HCS HB 3, relating to appropriations, was taken up by Representative Icet.

Representative Bruns offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 3, Page 6, Section 3.135, Line 8, by inserting immediately thereafter one new section to read as follows:

"Section 3.137. To Lincoln University
For the purpose of drawing down Federal land grant matching funds
From General Revenue Fund \$640,000"; and

Amend bill totals accordingly.

On motion of Representative Bruns, **House Amendment No. 2** was adopted.

HCS HB 3, as amended, was laid over.

HCS HB 4, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Storch offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 4, Page 1, Section 4.005, Line 3, by deleting the number "43,077,617" and inserting "42,827,617"; and

Adjust section and bill totals accordingly.

On motion of Representative Storch, **House Amendment No. 5** was adopted.

HCS HB 4, as amended, was laid over.

HCS HB 11, relating to appropriations, was taken up by Representative Icet.

Representative Storch offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 11, Page 13, Section 11.235, Line 6, by adding immediately after the word "Division" the following:

"through home visitation programs for at-risk infants"; and

Further amend said section, Line 7, by deleting the number "1,600,000" and inserting "1,850,000"; and

Adjust bill totals accordingly.

On motion of Representative Storch, **House Amendment No. 1** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 4, as amended, relating to appropriations, was again taken up by Representative Icet.

HCS HB 4, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 4, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Dethrow offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 4, Page 14, Section 4.305, Line 4, by deleting "6,300,000" and inserting "1,040,000"; and

Adjusting section and bill totals accordingly.

On motion of Representative Dethrow, **House Amendment No. 6** was adopted.

HCS HB 4, as amended, was laid over.

HCS HB 2, as amended, relating to appropriations, was taken up by Representative Icet.

Representative Dethrow offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 7, by deleting the number "167,667,713" and inserting "172,927,713"; and

Further amend said section, Line 16, by deleting "2,222,350,280" and inserting "2,227,610,280"; and

Further amend said bill, Page 12, Section 2.295, Line 4, by deleting "2,033,747,289" and inserting "2,039,007,289"; and

Further amend by adjusting section and bill totals accordingly.

Representative Muschany assumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Decken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 067

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44

McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Darrough	Day	Kratky	Marsh
Meadows	Ruestman	Ruzicka	Walton	

On motion of Representative Dethrow, **House Amendment No. 8** was adopted by the following vote:

AYES: 113

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Bruns	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fisher	Flook	Franz
Funderburk	Grill	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Lipke	Loehner	May
McClanahan	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Parson
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Zimmerman	Mr Speaker		

NOES: 039

Baker 25	Bowman	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Cox	Daus	Davis
El-Amin	Frame	George	Haywood	Hughes
Johnson	Liese	Low 39	Lowe 44	McGhee
Meiners	Nasheed	Oxford	Page	Pearce
Rucker	Salva	Schlottach	Spreng	Talboy
Villa	Vogt	Walsh	Whorton	Wildberger
Wright-Jones	Yates	Young	Zweifel	

PRESENT: 001

Fares

ABSENT WITH LEAVE: 010

Brown 30	Darrough	Day	Grisamore	Kratky
Marsh	Meadows	Ruestman	Ruzicka	Walton

HCS HB 2, as amended, was laid over.

HCS HB 5, relating to appropriations, was taken up by Representative Icet.

Representative Lembke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 5, Page 6, Section 5.115, Line 6, by inserting immediately thereafter the following:

"From Office of Administration Revolving Administrative Trust Fund \$1,200,000"; and

Amend section and bill totals accordingly.

On motion of Representative Lembke, **House Amendment No. 1** was adopted.

Representative Cooper (158) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 5, Page 17, Section 5.505, Line 5, by deleting the number "\$240,757,186" and inserting "\$239,257,186"; and

Adjust section and bill totals accordingly.

On motion of Representative Cooper (158), **House Amendment No. 2** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 11, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Cooper (158) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 11, Page 13, Section 11.240, Line 10, by deleting the number "55,078,325" and inserting "56,578,325"; and

Further amend said section, Line 11, by deleting "59,405,578" and inserting "62,451,033"; and

Adjust section and bill totals.

On motion of Representative Cooper (158), **House Amendment No. 2** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Portwood offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 5, Page 17, Section 5.505, Line 5, by deleting the number "240,757,186" and inserting "235,322,896"; and

Further amend said page, Section 5.510, Line 5, by deleting the number "376,907,771" and inserting "371,473,481"; and

Adjust section and bill totals accordingly.

On motion of Representative Portwood, **House Amendment No. 3** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was taken up by Representative Icet.

Representative Portwood offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 10, Page 9, Section 10.210, Line 15, by deleting the number "78,148,498" and inserting "83,582,788"; and

Further amend said section, Line 16, by deleting the number "76,360,783" and inserting "79,347,343"; and

Adjust section and bill totals accordingly.

On motion of Representative Portwood, **House Amendment No. 2** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative McClanahan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 5, Page 17, Section 5.505, Line 5, by deleting the number "240,757,186" and inserting "236,857,186"; and

Further amend said page, Section 5.510, Line 5, by deleting the number "376,907,771" and inserting "373,007,771"; and

Adjust section and bill totals accordingly.

Representative McClanahan moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Aull	Avery	Baker 25	Bland	Bowman
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Pratt	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schlottach	Schneider	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Weter	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

NOES: 078

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Sander	Sater	Schaaf
Schad	Scharnhorst	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Darrough	Day	Dusenberg
Kratky	Marsh	Ruzicka	Schieffer	

Representative McClanahan offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.030, Line 5, by deleting the number "30,005,000" and inserting "27,772,636"; and

Adjust section and bill totals accordingly.

Representative McClanahan moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

NOES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kingery
Kraus	Lembke	Lipke	Lochner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 30	Darrough	Day	Dougherty	Kelly
Kratky	Marsh	Ruzicka	Schieffer	St. Onge
Walton				

Representative Donnelly offered **House Amendment No. 6.***House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 5, Page 7, Section 5.130, Line 6, by inserting after the "thereof" on said line, the following:

"; all such claims against any or all liability of the state of Missouri or any agency, officer, or employee thereof shall be paid from this fund."

Representative Donnelly moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Muschany	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Darrough	Day	Kratky	Marsh
Ruzicka	Schieffer	Walton	Zimmerman	

HCS HB 5, as amended, was laid over.

Speaker Jetton resumed the Chair.

HCS HB 6, relating to appropriations, was taken up by Representative Icet.

Representative Burnett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 6, Page 1, Section 6.005, Line 5, by deleting the number "\$1,073,889" and inserting "\$936,503"; and

Further amend said section, Page 2, Line 18, by deleting "22.00" and inserting "20.00"; and

Adjust section and bill totals accordingly.

Representative Lembke assumed the Chair.

Representative Burnett moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hughes	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Portwood	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schoemehl	Shively
Silvey	Skaggs	Spreng	Storch	Talboy
Villa	Vogt	Walsh	Whorton	Wildberger
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

NOES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Iceet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh

May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Quinn 7	Richard	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 30	Darrough	Day	Harris 23	Kratky
Page	Pratt	Ruzicka	Schieffer	Walton
Yates				

Representative Cooper (120) assumed the Chair.

Representative Skaggs offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 6, Page 3, Section 6.025, Line 6, by deleting the number "\$1,234,988" and inserting "\$1,219,788"; and

Adjust bill section and bill totals accordingly.

Representative Skaggs moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Avery	Baker 25	Bland	Bowman	Brown 50
Casey	Chappelle-Nadal	Curls	Daus	Donnelly
Dusenberg	El-Amin	Fallert	Flook	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schoemehl	Silvey	Skaggs
Spreng	Storch	Talboy	Villa	Vogt
Walsh	Walton	Wildberger	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

NOES: 094

Aull	Baker 123	Bearden	Bivins	Brandom
Bringer	Bruns	Burnett	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon

Dougherty	Emery	Ervin	Faith	Fares
Fisher	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Ruestman
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Shively
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 30	Corcoran	Darrough	Day	Harris 23
Hubbard	Kratky	Page	Robb	Ruzicka
Schieffer				

HCS HB 6, as amended, was laid over.

HCS HB 7, relating to appropriations, was taken up by Representative Ice.

Representative Ice offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 7, Pages 3 and 4, Section 7.020, Line 11, by inserting the following immediately after the word “contracts”:

“ Projects should be limited to bioenergy projects, National Bio- and Agro-Defense Facility projects, Gateway Fund projects, Animal Health Corridor projects and/or Odor Abatement/Water Quality projects.”.

Representative Bringer offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 7, Pages 3 and 4, Section 7.020, by deleting the section in its entirety and adjusting bill totals accordingly.

Representative Bringer moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Baker 123	Bivins	Bringer	Bruns	Casey
Cooper 155	Cooper 158	Cunningham 86	Curls	Davis
Deeken	Dusenberg	El-Amin	Emery	Fallert
Fisher	George	Harris 110	Hodges	Hubbard
Johnson	Jones 89	Kraus	Kuessner	Lembke
Liese	Lipke	Meadows	Meiners	Moore
Muschany	Nieves	Nolte	Onder	Parson
Pollock	Portwood	Pratt	Quinn 9	Sander
Sater	Scavuzzo	Scharnhorst	Schoemehl	Self
Shively	Smith 150	Spreng	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Todd	Viebrock
Villa	Walsh	Wilson 130	Witte	Wood
Yaeger	Yates			

NOES: 094

Aull	Avery	Baker 25	Bearden	Bland
Bowman	Brandon	Brown 50	Burnett	Cooper 120
Corcoran	Cox	Cunningham 145	Daus	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Ervin	Faith	Fares	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Holsman	Hoskins
Hughes	Hunter	Ice	Jones 117	Kelly
Kingery	Komo	Lampe	LeVota	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Munzlinger	Nance	Nasheed	Norr
Oxford	Pearce	Quinn 7	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Schaaf	Schad	Schlottach	Schneider
Schoeller	Silvey	Skaggs	Smith 14	Storch
Stream	Talboy	Thomson	Tilley	Vogt
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wright 159	Wright-Jones
Young	Zimmerman	Zweifel	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Chappelle-Nadal	Darrough	Day	Kratky
Page	Schieffer			

On motion of Representative Ice, **House Amendment No. 1** was adopted.

Representative Dempsey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 7, Section 7.020, Page 4, Line 12, by deleting "\$15,000,000" and inserting "14,455,465"; and

Adjust bill totals accordingly.

On motion of Representative Dempsey, **House Amendment No. 2** was adopted.

HCS HB 7, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Dempsey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 10, Page 7, Section 10.110, Line 8, by inserting the following immediately after said line:

"For treatment of adolescents with co-occurring addiction and mental illness
From Life Sciences Research Trust Fund 544,535
From Federal Funds 455,465"; and

Adjust section and bill totals accordingly.

On motion of Representative Dempsey, **House Amendment No. 3** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 7, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Lembke offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 7, Pages 3 and 4, Section 7.020, Line 12, by deleting "15,000,000" and inserting "14,000,000"; and

Further amend by adjusting bill totals accordingly.

On motion of Representative Lembke, **House Amendment No. 3** was adopted.

Representative Lembke offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 7, Page 4, Section 7.025, Line 3, by deleting "250,056" and inserting "350,056"; and

Further amend said section, Line 4, by deleting "250,000" and inserting "300,000"; and

Further amend said section, Line 5, by deleting "350,000" and inserting "850,000"; and

Further amend said section, Line 6, by deleting "225,000" and inserting "275,000"; and

Further amend said section, Line 7, by deleting "225,000" and inserting "275,000"; and

Further amend said section, Line 8, by deleting "200,750" and inserting "300,750"; and

Further amend said section, Line 9, by deleting "200,000" and inserting "250,000"; and

Further amend said section, Line 10, by deleting "200,000" and inserting "250,000"; and

Further amend said section, Line 11, by deleting "200,000" and inserting "250,000"; and

Further amend said bill, Section 7.025, Line 22, by inserting the following immediately thereafter:

"Section 7.026. Funds are to be transferred out of the State Treasury, chargeable to the Life Sciences Research Trust Fund to the Missouri Technology Investment Fund for Innovation Centers From Life Sciences Research Trust Fund \$1,000,000"; and

Further amend by adjusting section and bill totals accordingly.

Representative Harris (110) offered **House Amendment No. 1 to House Amendment No. 4.**

Representative Bearden raised a point of order that **House Amendment No. 1 to House Amendment No. 4** is out of order pursuant to Rule 46(f).

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Lembke, **House Amendment No. 4** was adopted.

Representative Hughes offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 7, Pages 6 and 7, Section 7.095, Line 4, by inserting the following immediately after the word "projects:":

"Brush Creek,".

On motion of Representative Hughes, **House Amendment No. 5** was adopted.

HCS HB 7, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE RESOLUTION

Representative Jetton offered House Resolution No. 1520.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1500 through House Resolution No. 1519
House Resolution No. 1521 through House Resolution No. 1580

HOUSE CONCURRENT RESOLUTIONS

Representative Nasheed, et al., offered House Concurrent Resolution No. 46.
Representative Holsman, et al., offered House Concurrent Resolution No. 47.
Representative Muschany, et al., offered House Concurrent Resolution No. 48.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 8, relating to appropriations, was taken up by Representative Icet.

Representative Silvey offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Roorda offered **House Amendment No. 2**.

Representative Jones (89) raised a point of order that **House Amendment No. 2** was not distributed in a timely manner.

The Chair ruled the point of order well taken.

HCS HB 8 was laid over.

HCS HB 9, relating to appropriations, was taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1**.

Representative Donnelly raised a point of order that **House Amendment No. 1** has not been distributed.

The Chair ruled the point of order well taken.

HCS HB 9 was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Moore offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 10, Page 2, Section 10.010, Line 7, by deleting the number "1,369,531" and inserting "1,149,017"; and

Adjust bill totals accordingly.

On motion of Representative Moore, **House Amendment No. 4** was adopted.

Representative Moore offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 10, Page 11, Section 10.300, Line 10, by deleting the number "48,985,576" and inserting "49,206,090"; and

Adjust section and bill totals accordingly.

On motion of Representative Moore, **House Amendment No. 5** was adopted.

Representative Stevenson offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 10, Page 30, Section 10.660, Line 3, by inserting immediately after said line the following:

"In any year after 2007 when the state's tobacco settlement payment receipts as of June 30 for the prior twelve-month period are in excess of the total amount of settlement payments actually received by the state during fiscal year 2007, an amount equal to the excess, not to exceed \$5,000,000 shall be appropriated and directed to the Department of Health solely for the purpose of increasing state efforts to prevent and reduce tobacco use and its harms. The funds directed to the department shall be allocated by the department consistently with the Center for Disease Control and Prevention's, or its successor agency's, best practices and guidelines for state tobacco control programs"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris (23) raised a point of order that **House Amendment No. 6** attempts to legislate through the appropriation process.

The Chair ruled the point of order not well taken.

On motion of Representative Stevenson, **House Amendment No. 6** was adopted.

Representative Cooper (158) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 10, Page 16, Section 10.345, Line 6, by deleting the number "10,448,015" and inserting "9,448,015"; and

Adjust section and bill totals accordingly.

Representative Cooper (158) moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 009

Cooper 158	Dusenberg	Emery	Guest	Hunter
Lembke	Lipke	Schad	Whorton	

NOES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Darrough	Day	Kratky	Marsh
Page	Walton			

Representative Lembke offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 10, Page 16, Section 10.345, Line 6, by deleting the number "10,448,015" and inserting "10,398,015"; and

Adjust section and bill totals accordingly.

On motion of Representative Lembke, **House Amendment No. 8** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 2, as amended, relating to appropriations, was taken up by Representative Icet.

Representative Lembke offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 2, Page 11, Section 2.265, Line 3, by deleting the number "50,000" and inserting "100,000"; and

Adjusting bill totals accordingly.

On motion of Representative Lembke, **House Amendment No. 9** was adopted.

HCS HB 2, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Oxford offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 10, Page 1, Section 10.005, Line 6, by deleting "678,552" and inserting "669,488"; and

Further amend said section, Line 7, by deleting "36,673" and inserting "36,129"; and

Further amend said bill, Page 2, Section 10.010, Line 7, by deleting "1,369,531" and inserting "1,329,642"; and

Further amend said bill, Page 2, Section 10.025, Line 7, by deleting "5,733,309" and inserting "5,703,684"; and

Further amend said section, Line 8, by deleting "719,822" and inserting "715,448"; and

Further amend said bill, Page 3, Section 10.045, Line 6, by deleting "803,362" and inserting "791,141"; and

Further amend said bill, Page 4, Section 10.050, Line 9, by deleting "109,691" and inserting "108,440"; and

Further amend said bill, Page 4, Section 10.055, Line 6, by deleting "321,288" and inserting "321,173"; and

Further amend said bill, Page 5, Section 10.100, Line 8, by deleting “1,110,277” and inserting “1,102,415”; and

Further amend said page, Section 10.100, Line 9, by deleting “813,938” and inserting “807,949”; and

Further amend Section 10.100, Line 13, by deleting “43,756” and inserting “43,434”; and

Further amend Section 10.100, Line 14, by deleting “100,060” and inserting “99,324”; and

Further amend said bill, Page 6, Section 10.105, Line 5, by deleting “9,676” and inserting “9,613”; and

Further amend said section, Line 7, by deleting “360,405” and inserting “358,068”; and

Further amend Section 10.105, Line 17, by deleting “200,763” and inserting “199,461”; and

Further amend Section 10.105, Line 21, by deleting “127,226” and inserting “126,401”; and

Further amend Section 10.110, Page 7, Line 6, by deleting “3,756,111” and inserting “3,751,614”; and

Further amend said section, Line 10, by deleting “8,818” and inserting “8,767”; and

Further amend said section, Line 14, by deleting “776,924” and inserting “776,043”; and

Further amend said page, Section 10.115, Line 4, by deleting “38,773” and inserting “38,616”; and

Further amend said bill, Page 8, Section 10.120, Line 4, by deleting “427,270” and inserting “427,209”; and

Further amend said section, Line 5, by deleting “235,924” and inserting “235,356”; and

Further amend said bill, Page 8, Section 10.200, Line 7, by deleting “811,147” and inserting “805,076”; and

Further amend said section, Line 8, by deleting “586,686” and inserting “580,966”; and

Further amend said bill, Page 8, Section 10.205, Line 8, by deleting “3,330,150” and inserting “3,308,326”; and

Further amend said bill, Page 10, Section 10.220, Line 7, by deleting “781,875” and inserting “778,381”; and

Further amend said bill, Page 10, Section 10.225, Line 7, by deleting “307,392” and inserting “305,859”; and

Further amend said section, Line 11, by deleting “1,216,973” and inserting “1,216,247”; and

Further amend said bill, Page 10, Section 10.230, Line 5, by deleting “504,597” and inserting “500,592”; and

Further amend said bill, Page 11, Section 10.300, Line 21, by deleting “1,593,865” and inserting “1,547,442”; and

Further amend said bill, Page 12, Section 10.305, Line 10, by deleting “11,449,952” and inserting “11,440,241”; and

Further amend said section, Line 12, by deleting “511,094” and inserting “510,588”; and

Further amend said section, Line 14, by deleting “434,522” and inserting “434,092”; and

Further amend said section, Line 19, by deleting “249,854” and inserting “242,577”; and

Further amend said section, Line 20, by deleting “10,759” and inserting “10,446”; and

Further amend said bill, Page 12, Section 10.310, Line 17, by deleting “382,926” and inserting “371,773”; and

Further amend said section, Line 18, by deleting “890” and inserting “864”; and

Further amend said bill, Page 13, Section 10.315, Line 16, by deleting “18,198” and inserting “17,668”; and

Further amend said bill, Page 13, Section 10.320, Line 10, by deleting “14,219,558” and inserting “14,217,137”; and

Further amend said section, Line 12, by deleting “186,078” and inserting “186,038”; and

Further amend said bill, Page 14, Section 10.320, Line 17, by deleting “86,790” and inserting “84,262”; and

Further amend said section, Line 18, by deleting “1,093” and inserting “1,061”; and

Further amend, Page 14, Section 10.325, Line 10, by deleting “7,823,662” and inserting “7,789,370”; and

Further amend said section, Line 12, by deleting “324,325” and inserting “322,986”; and

Further amend said section, Line 17, by deleting “1,949,409” and inserting “1,944,983”; and

Further amend said section, Page 15, Line 22, by deleting “151,945” and inserting “147,519”; and

Further amend said section and page, Line 23, by deleting “5,799” and inserting “5,630”; and

Further amend said bill, Section 10.330, Line 15, by deleting “326,536” and inserting “317,025”; and

Further amend said bill, Page 15, Section 10.340, Line 21, by deleting “994,347” and inserting “965,385”; and

Further amend said bill, Page 16, Section 10.345, Line 11, by deleting “275,809” and inserting “267,776”; and

Further amend said bill, Page 17, Section 10.350, Line 15, by deleting “119,917” and inserting “116,424”; and

Further amend said section, Line 16, by deleting “6,909” and inserting “6,708”; and

Further amend said bill, Page 17, Section 10.355, Line 14, by deleting “54,302” and inserting “52,720”; and

Further amend said section, Line 15, by deleting “1,071” and inserting “1,040”; and

Further amend said bill, Page 18, Section 10.400, Line 7, by deleting “1,912,926” and inserting “1,894,144”; and

Further amend said section, Line 8, by deleting “294,183” and inserting “291,043”; and

Further amend said bill, Page 18, Section 10.410, Line 13, by deleting “1,322,626” and inserting “1,319,640”; and

Further amend said bill and section, Page 19, Line 14, by deleting “822,126” and inserting “819,632”; and

Further amend said bill, Page 19, Section 10.415, Line 4, by deleting “361,655” and inserting “358,879”; and

Further amend said page, Section 10.500, Line 8, by deleting “1,291,708” and inserting “1,289,080”; and

Further amend said section, Line 9, by deleting “431,623” and inserting “430,626”; and

Further amend said bill, Page 20, Section 10.505, Line 8, by deleting “1,525,091” and inserting “1,522,147”; and

Further amend said section, Line 9, by deleting “1,080,249” and inserting “1,078,197”; and

Further amend said bill, Page 20, Section 10.510, Line 8, by deleting “1,845,764” and inserting “1,842,245”; and

Further amend said section, Line 9, by deleting “342,393” and inserting “341,661”; and

Further amend said bill, Page 20, Section 10.515, Line 8, by deleting “1,855,277” and inserting “1,851,414”; and

Further amend said section, Line 9, by deleting “423,559” and inserting “422,667”; and

Further amend said bill, Page 20, Section 10.520, Line 8, by deleting “2,566,793” and inserting “2,558,928”; and

Further amend said section, Line 9, by deleting “1,688,323” and inserting “1,682,848”; and

Further amend said bill, Page 21, Section 10.525, Line 8, by deleting “1,223,389” and inserting “1,220,275”; and

Further amend said section, Line 9, by deleting “330,367” and inserting “329,432”; and

Further amend said bill, Page 21, Section 10.530, Line 8, by deleting “1,297,913” and inserting “1,294,437”; and

Further amend said section, Line 9, by deleting “319,918” and inserting “319,010”; and

Further amend said bill, Page 21, Section 10.535, Line 8, by deleting “1,679,823” and inserting “1,677,334”; and

Further amend said section, Line 9, by deleting “612,472” and inserting “611,520”; and

Further amend said bill, Page 22, Section 10.540, Line 8, by deleting “1,434,955” and inserting “1,432,867”; and

Further amend said section, Line 9, by deleting “252,002” and inserting “251,595”; and

Further amend said bill, Page 22, Section 10.545, Line 8, by deleting “1,902,382” and inserting “1,899,121”; and

Further amend said section, Line 9, by deleting “720,934” and inserting “719,538”; and

Further amend said bill, Page 22, Section 10.550, Line 8, by deleting “4,311,983” and inserting “4,303,733”; and

Further amend said section, Line 9, by deleting “4,214,651” and inserting “4,206,156”; and

Further amend said bill, Page 22, Section 10.555, Line 16, by deleting “1,123,549” and inserting “1,090,824”; and

Further amend said section, Line 17, by deleting “37,055” and inserting “35,976”; and

Further amend said bill, Page 23, Section 10.560, Line 25, by deleting “482,254” and inserting “468,208”; and

Further amend said section, Line 26, by deleting “88,342” and inserting “85,769; and

Further amend said bill, Page 24, Section 10.565, Line 16, by deleting “849,133” and inserting “824,401”; and

Further amend said section, Line 17, by deleting “52,364” and inserting “50,839”; and

Further amend Page 24, Section 10.570, Line 15, by deleting “37,497” and inserting “36,405”; and

Further amend Page 25, Section 10.575, Line 16, by deleting “625,398” and inserting “607,183”; and

Further amend said bill, Page 25, Section 10.580, Line 15, by deleting “319,537” and inserting “310,230”; and

Further amend said bill, Page 26, Section 10.600, Line 7, by deleting “1,145,711” and inserting “1,135,837”; and

Further amend said section, Line 8, by deleting “2,074,859” and inserting “2,059,896”; and

Further amend said bill, Page 27, Section 10.610, Line 7, by deleting “2,826,407” and inserting “2,824,565”; and

Further amend said section, Line 9, by deleting “4,944,901” and inserting “4,944,027”; and

Further amend said section, Line 10, by deleting “200,523” and inserting “200,446”; and

Further amend said bill, Page 27, Section 10.615, Line 7, by deleting “784,787” and inserting “783,427”; and

Further amend said section, Line 9, by deleting “2,289,118” and inserting “2,282,132”; and

Further amend said section, Line 10, by deleting “125,650” and inserting “125,267”; and

Further amend said bill, Page 27, Section 10.620, Line 3, by deleting “3,085,682” and inserting “3,057,540”; and

Further amend said bill, Page 28, Section 10.650, Line 7, by deleting “8,050,341” and inserting “8,010,489”; and

Further amend said section, Line 8, by deleting “20,332,508” and inserting “20,243,915”; and

Further amend said section, Line 10, by deleting “47,808” and inserting “47,549”; and

Further amend said section, Line 11, by deleting “91,289” and inserting “90,794”; and

Further amend said section, Line 14, by deleting “70,415” and inserting “70,034”; and

Further amend said section, Line 18, by deleting “190,757” and inserting “189,724”; and

Further amend said section, Line 21, by deleting “105,378” and inserting “104,807”; and

Further amend said section, Line 24, by deleting “315,727” and inserting “314,017”; and

Further amend said section, Line 27, by deleting “349,652” and inserting “347,758”; and

Further amend, Line 30, by deleting “169,109” and inserting “168,193”; and

Further amend Page 30, Section 10.650, Line 33, by deleting “71,574” and inserting “71,186”; and

Further amend said bill, Page 32, Section 10.680, Line 8, by deleting “758,316” and inserting “756,611”; and

Further amend said section, Line 9, by deleting “408,283” and inserting “407,412”; and

Further amend said bill, Page 32, Section 10.685, Line 7, by deleting “8,525,549” and inserting “8,515,183”; and

Further amend said section, Line 8, by deleting “10,013,558” and inserting “10,007,021”; and

Further amend said bill, Page 35, Section 10.720, Line 7, by deleting “11,857,168” and inserting “11,786,314”; and

Further amend said section, Line 8, by deleting “12,067,338” and inserting “12,031,731”; and

Further amend said section, Line 9, by deleting “2,967,634” and inserting “2,963,484”; and

Further amend said section, Line 10, by deleting “176,436” and inserting “175,884”; and

Further amend said section, Line 11, by deleting “70,069” and inserting “69,709”; and

Further amend said section, Line 14, by deleting “59,598” and inserting “59,299”; and

Further amend said section, Line 17, by deleting “200,762” and inserting “199,729”; and

Further amend said bill, Page 36, Section 10.730, Line 8, by deleting “159,757” and inserting “159,064”; and

Amend section and bill totals accordingly.

Representative Oxford moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 077

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Curls	Daus	Deeken	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Jones 117	Komo	Kraus	Kuessner	Lampe
LeVota	Liese	Loehner	Low 39	Lowe 44
McClanahan	McGhee	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Ruzicka	Salva	Scavuzzo
Schad	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Wallace	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

NOES: 079

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Dempsey	Denison	Dethrow

Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Hobbs	Hunter	Icet	Jones 89
Kelly	Kingery	Lembke	Lipke	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Sander	Sater	Schaaf	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Corcoran	Darrough	Day	Kratky
Marsh	Walton			

HCS HB 10, as amended, was laid over.

HCS HB 11, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Stevenson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 11, Page 24, Section 11.470, adding immediately after said section the following new section:

"Section 11.472. To the Department of Social Services
 For the Division of Medical Services
 For the purpose of funding an electronic pilot project in one or more skilled nursing facilities in
 Greene County to study the cost effectiveness of electronic health records in long term care and the
 financial benefit to Missouri HealthNet
 From Nursing Facility Quality of Care Fund \$450,000"; and

Adjust bill totals accordingly.

On motion of Representative Stevenson, **House Amendment No. 3** was adopted.

Representative McClanahan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 11, Page 6, Section 11.075, Lines 1 through 5, by deleting said section; and

Adjust bill totals accordingly.

Representative Pratt assumed the Chair.

Representative McClanahan moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Curls
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hughes	Johnson	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

NOES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Corcoran	Darrough	Day	Hunter
Kratky	Marsh	Salva	Walton	Wildberger

HCS HB 11, as amended, was laid over.

HCS HB 12, as amended, relating to appropriations, was taken up by Representative Icet.

Representative Cooper (158) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 12, Page 7, Section 12.195, Lines 17 and 18, by deleting said lines in their entirety; and

Further amend said section, Line 25, by deleting "403.05" and inserting "350.05"; and

Adjust section and bill totals accordingly.

Representative Burnett raised a point of order that **House Amendment No. 2** attempts to legislate through the appropriation process.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Cooper (158), **House Amendment No. 2** was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Lembke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 065

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hughes	Johnson
Komo	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Darrough	Day	Haywood	Kratky
Marsh	Schieffer	St. Onge	Vogt	Walton

HCS HB 12, as amended, was laid over.

HCS HB 7, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative Cooper (158) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 7, Page 22, Section 7.835, Line 6, by deleting "8,996,548" and inserting "9,456,959"; and

Further amend said section, Line 9, by deleting "9,046,548" and inserting "9,506,959"; and

Further amend said bill and section, Line 13, by inserting the following immediately thereafter:

"For the purpose of funding administration of the Workers' Compensation - Second Injury Fund
 Personal Service and/or Expense and Equipment
 From Workers' Compensation - Second Injury Fund 2,791,673"; and

Further amend said section, Line 14, by deleting "162.25 F.T.E." and inserting "215.25 F.T.E."; and

Adjust section and bill totals accordingly.

On motion of Representative Cooper (158), **House Amendment No. 6** was adopted.

HCS HB 7, as amended, was laid over.

HCS HB 12, as amended, relating to appropriations, was again taken up by Representative Icet.

Representative LeVota offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 12, Page 1, Section 12.005, Line 2, by deleting "1,941,376" and inserting "1,900,063"; and

Adjust section and bill totals accordingly.

Speaker Pro Tem Bearden resumed the Chair.

Representative LeVota moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hubbard	Hughes	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	McClanahan	Meiners
Muschany	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Salva	Sander
Scavuzzo	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Vogt
Walsh	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman			

NOES: 095

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Zweifel	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Bowman	Brown 30	Darrough	Day	Haywood
Kratky	Lowe 44	Marsh	Meadows	Schieffer
Walton				

Representative Donnelly offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 12, Page 15, Section 12.515, Line 8, by deleting "207,800" and inserting "122,800"; and

Adjust section and bill totals accordingly.

Representative Donnelly moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Daus	Donnelly	Dougherty
El-Amin	Ervin	Fallert	Flook	Frame
George	Grill	Harris 23	Harris 110	Holsman
Hoskins	Hubbard	Hughes	Johnson	Jones 89
Komo	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

NOES: 086

Avery	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Faith
Fares	Fisher	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley

Viebrock
Wilson 119
Mr Speaker

Wallace
Wilson 130

Wasson
Wood

Wells
Wright 159

Weter
Yates

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 30
Kratky
Walton

Darrough
Lowe 44

Day
Marsh

Haywood
Meadows

Hodges
Schieffer

HCS HB 12, as amended, was laid over.

HCS HB 13, relating to appropriations, was taken up by Representative Icet.

HCS HB 13 was laid over.

HB 1, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 1** was ordered perfected and printed.

HCS HB 2, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2, as amended**, was ordered perfected and printed.

HCS HB 3, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 3, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 3, as amended**, was ordered perfected and printed.

HCS HB 4, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 4, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 4, as amended**, was ordered perfected and printed.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 5, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 5, as amended**, was ordered perfected and printed.

HCS HB 6, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 6, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 6, as amended**, was ordered perfected and printed.

HCS HB 7, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 7, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 7, as amended**, was ordered perfected and printed.

HCS HB 8, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 8** was adopted.

On motion of Representative Icet, **HCS HB 8** was ordered perfected and printed.

HCS HB 9, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 9** was adopted.

On motion of Representative Icet, **HCS HB 9** was ordered perfected and printed.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 10, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 10, as amended**, was ordered perfected and printed.

HCS HB 11, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 11, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 11, as amended**, was ordered perfected and printed.

HCS HB 12, as amended, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 12, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 12, as amended**, was ordered perfected and printed.

HCS HB 13, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 13** was adopted.

On motion of Representative Icet, **HCS HB 13** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 131 - Fiscal Review (Fiscal Note)

HB 978 - Special Committee on Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 249**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 252**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 995**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 134**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 329**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 343**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 497**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 583**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 654 & 938**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 735**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 741**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 752**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 765**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 801**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 807 & 690**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 818**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1190, introduced by Representative Cooper (158), relating to public records.

HB 1191, introduced by Representative Page, relating to notification on the release of a sex offender.

HB 1192, introduced by Representative Munzlinger, relating to agricultural operations.

HB 1193, introduced by Representative Page, relating to student housing at public institutions of higher education.

HB 1194, introduced by Representative Schaaf, relating to state medical assistance programs.

HB 1195, introduced by Representatives Whorton, Meadows, LeVota, Hobbs, Loehner, Daus, Guest, Meiners and Villa, relating to the designation of the official state cat.

HB 1196, introduced by Representative Cooper (158), relating to equal opportunity education contract program.

HB 1197, introduced by Representative St. Onge, relating to student athletes.

HB 1198, introduced by Representatives Wallace, Ruzicka, Wood, Sater, Schad, Fisher, Stream, Franz, Pearce, Jetton, Tilley, Dethrow, Munzlinger, Thomson, Wells, Smith (150), Kingery, Kelly, Hobbs, Self, Aull, Jones (117), Parson, Guest, Rucker, Wright, Sander, Wilson (119), Brandom, Whorton, Loehner, Nance, Deeken, Quinn (7), Kuessner, Lampe, Shively, Todd, Bringer, Yaeger, Fallert, Witte, Schieffer, Hodges, Quinn (9), Swinger, McClanahan, Jones (89), Cooper (155), Richard, Wasson, Ervin, Weter, Pollock, Robb, Schlottach, Schneider, Moore, Wilson (130) and Cunningham (145), relating to grants for small schools.

HB 1199, introduced by Representative Meadows, relating to fire departments.

HB 1200, introduced by Representative Dixon, relating to the issuance of marriage licenses.

HB 1201, introduced by Representative Bruns, relating to the administration of the Missouri State Public Employees Deferred Compensation Fund.

HB 1202, introduced by Representatives Schad, Fisher, Loehner, Jones (117), Wilson (119), Denison, Schlottach, Wilson (130), Quinn (7), Wells, Dusenberg, Franz, Wright and Stevenson, relating to motor vehicle width restrictions.

HB 1203, introduced by Representatives Munzlinger, Jetton, Fisher, Hobbs, Onder, Schlottach, Schad, Sander, Loehner, Quinn (7), Pollock, Swinger, Cox and Schoeller, relating to agricultural operations.

HB 1204, introduced by Representatives Wright-Jones, Rucker, Nasheed, Baker (25), LeVota, Storch, Quinn (9), Harris (23), Schoemehl, Kuessner, Johnson, Aull, Curls, Komo, Roorda, Liese, Hodges, McClanahan, Scavuzzo, Lampe, Harris (110), Brown (50), Todd, Schieffer, Holsman, Shively, Zweifel, Dougherty, Meadows, Swinger, Lowe (44), Young, Hughes, Bland, Donnelly, Yaeger, Chappelle-Nadal, Haywood, Page, Daus, Casey, Zimmerman, Kuessner, Low (39), Burnett, Oxford, Villa, George, Walsh, Fallert, Bringer and Spreng, relating to voter registration.

HB 1205, introduced by Representatives Page and Flook, relating to a tax exemption for motor fuel used for school buses.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, March 29, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCR 38, SCS SB 156

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 5.

Presentation of the Medicaid Management Information System (MMIS)
by the Department of Social Services.

BUDGET

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HJR 20

CONSERVATION AND NATURAL RESOURCES

Monday, April 2, 2007, 12:30 p.m. Hearing Room 1. AMENDED

Executive session will be held on: HB 886, SCS SB 420

ELEMENTARY AND SECONDARY EDUCATION

Thursday, March 29, 2007, House Chamber side gallery upon morning adjournment.

Executive session.

FISCAL REVIEW

Thursday, March 29, 2007, 8:30 a.m. House Chamber south gallery.

Executive session.

Committee will consider any other bills that may be referred to them.

Public hearing to be held on: HCS HB 364

JOINT COMMITTEE ON EDUCATION

Thursday, March 29, 2007, 9:00 a.m. Senator Mayer's office Room 331.

Joint Committee on Education - Subcommittee on Personnel.

Committee to discuss job descriptions and hiring criteria for possible personnel.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Thursday, March 29, 2007, 2:30 p.m. Hearing Room 6.

Public hearing to be held on: SB 469

JOINT COMMITTEE ON TAX POLICY

Monday, April 2, 2007, 12:00 p.m. Hearing Room 7.

Discussion on sales tax holiday and tax audits.

LOCAL GOVERNMENT

Tuesday, April 3, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 81, SB 237, SB 271

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 5.

Working session regarding Medicaid reform. AMENDED

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 7.

Executive session will follow. AMENDED

Public hearings to be held on: SCS SB 308, SB 158, SCS SB 159, SCS SB 272, SB 281

Executive session will be held on: SCS SB 272, SB 281, SCS SB 308, SB 158, SCS SB 159

SPECIAL COMMITTEE ON RETIREMENT

Thursday, March 29, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 127, SB 244, SB 172, SB 401, SB 402, SB 403, SB 404, SB 406

WAYS AND MEANS

Thursday, March 29, 2007, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 48, HB 176, HB 571, HB 750, HB 855

HOUSE CALENDAR

FORTY-SEVENTH DAY, THURSDAY, MARCH 29, 2007

HOUSE BILLS FOR SECOND READING

HB 1190 through HB 1205

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 90 - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 820 - Moore
- 5 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 6 HB 213 - Cunningham (86)
- 7 HCS HB 448 - Spreng
- 8 HCS HB 466 - Schaaf
- 9 HCS HB 365, 804 & 805 - Ervin
- 10 HCS HB 182 - Bruns
- 11 HCS HB 338 - Tilley
- 12 HCS HB 827 - Muschany
- 13 HCS HB 771 - Bearden
- 14 HCS HBs 180, 396 & 615 - Day
- 15 HCS HB 238 - Yates
- 16 HB 360 - Robb
- 17 HCS HB 788 - Cooper (155)
- 18 HCS HB 551 - Dempsey
- 19 HCS HB 218 - Stevenson
- 20 HB 224 - Franz
- 21 HCS HB 104 - Meiners
- 22 HB 42 - Portwood
- 23 HB 56 - Sater
- 24 HCS HB 181 - Sander
- 25 HB 554 - Cooper (155)
- 26 HCS HB 555 - Cooper (155)
- 27 HB 574 - St. Onge
- 28 HB 596 - St. Onge
- 29 HCS HB 811 - Schad
- 30 HB 412 - Emery
- 31 HCS HB 457 - Sutherland
- 32 HB 462 - Munzlinger

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- 33 HB 215 - Stevenson
- 34 HB 432 - Schaaf
- 35 HCS HB 699 - Tilley
- 36 HCS HB 768 - St. Onge
- 37 HCS HB 795 - Flook
- 38 HCS HB 122 - Nance
- 39 HCS HB 891 - Kratky
- 40 HCS HB 914 - Wasson
- 41 HCS HB 159 - Bivins
- 42 HCS HB 184 - Dempsey
- 43 HCS HB 227 - Swinger
- 44 HCS HB 845 - Dixon
- 45 HCS HB 487 - Cooper (120)
- 46 HCS HB 892 - Day
- 47 HB 915 - Dougherty
- 48 HB 916 - Dougherty
- 49 HCS HB 945 - Parson
- 50 HCS HB 298 - Cooper (120)
- 51 HCS HB 493 - Baker (123)
- 52 HCS HB 512 - Pratt
- 53 HCS HB 261 - Yates
- 54 HCS HBs 619 & 118 - Aull
- 55 HB 746 - Franz
- 56 HB 791 - Wilson (130)
- 57 HB 882 - Page
- 58 HCS HB 1002 - Fisher
- 59 HCS HB 124 - Nance

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 669 - Pearce
- 2 HB 546 - Schaaf
- 3 HCS#2 HB 28 - Cunningham (86)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 744 - St. Onge
- 2 HB 987 - Wasson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/16/07)

- 1 HB 41 - Portwood
- 2 HB 428 - Cox
- 3 HCS HB 616 - Wood
- 4 HB 684 - Bruns
- 5 HB 740 - Pearce
- 6 HB 941 - Kingery

(3/28/07)

HCS HB 796 - Dethrow

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HB 1 - Icet
- 2 HCS HB 2 - Icet
- 3 HCS HB 3 - Icet
- 4 HCS HB 4 - Icet
- 5 HCS HB 5 - Icet
- 6 HCS HB 6 - Icet
- 7 HCS HB 7 - Icet
- 8 HCS HB 8 - Icet
- 9 HCS HB 9 - Icet
- 10 HCS HB 10 - Icet
- 11 HCS HB 11 - Icet
- 12 HCS HB 12 - Icet
- 13 HCS HB 13 - Icet

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 364, (Fiscal Review 3-15-07) - Ervin
- 2 HCS HB 131, (Fiscal Review 3-28-07) - Cooper (120)
- 3 HCS HB 851 - Onder
- 4 HCS HB 165 - Cooper (120)
- 5 HB 527 - Cooper (120)
- 6 HB 579 - Dempsey
- 7 HCS HB 431 - Pratt
- 8 HCS HB 894 - Hoskins
- 9 HCS HB 245 - St. Onge
- 10 HB 233 - Tilley
- 11 HB 482 - Walton

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 267 - Jones (117)
- 2 HB 265 - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 910 - Fares
- 2 HB 933 - Grill
- 3 HB 1014 - Wright

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin
- 7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-SEVENTH DAY, THURSDAY, MARCH 29, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, we praise You as God. We thank You for the blessings in our lives and all around us.

Bless the members of this House with the energy they need for the work of today, after devotedly working for the people of our State yesterday until the late hours of the day.

We pray the restoration of order, security and peace in Iraq. Guide the U. S. Congress and our President that they may make the right decisions regarding the crises in Iraq.

Together we pray for the Englishmen held captive by Iran and for successful negotiations with Iran so that a good working relationship with that country can be restored.

Scientists and technicians in the field of communications have made the world small. The Near East is very near; it is our neighbor. Help us to learn how to live with our neighbors, so that together we may serve and honor You as the one true God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mate Daus, Kristen Chism, Shawn Glen, Chris Shoemaker, Carlie Morris, Brittany Reihm, Lonnie Bradwell, Hayley Ann Honeycutt, Seth Lee, Bridget Brassfield, Molly Elizabeth Thal, David Andrew Thal, Brittany Webb-Barron, Koda DeWeese, Katie Eggers, Jaryn Black, Sam Kieffer, Shane Cooper, Matt Bowman, Miles Morris, Danielle Leeper, Danny Smith, Amanda Loucks, Taylor Love, Sara Weidner, Jennifer Maberry, Adam Francis, Tiffany Craig, Samantha Cooper, Matt Hedrick, Anna Stewart, Markita Hackman, Katie Allen, Kasey Hunt and Lea Munzlinger.

The Journal of the forty-sixth day was approved as printed.

SPECIAL RECOGNITION

Kenneth E. Meyer of Springfield, Missouri was introduced by Representative Dixon and recognized as an Outstanding Missourian.

The Silex High School Lady Owls Softball Team was introduced by Representative Schieffer and recognized for attaining the 2006 Class 1 State Softball Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1581 through House Resolution No. 1628

HOUSE CONCURRENT RESOLUTIONS

Representative Nolte offered House Concurrent Resolution No. 50.
Representative Scharnhorst offered House Concurrent Resolution No. 51.

SECOND READING OF HOUSE BILLS

HB 1190 through **HB 1205** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 131** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 364** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Richard assumed the Chair.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HB 1, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 1** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore

Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Darrough	Day	Hunter
Kratky	Viebrock			

Representative Richard declared the bill passed.

Speaker Jetton resumed the Chair.

HCS HB 2, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2** was read the third time and passed by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley

Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Young	Mr Speaker			

NOES: 061

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hughes	Johnson	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Darrough	Day	Kratky
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Speaker Jetton declared the bill passed.

HCS HB 3, relating to appropriations, was taken up by Representative Icet.

Speaker Pro Tem Bearden assumed the Chair.

On motion of Representative Icet, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 096

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 50	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Tilley	Viebrock

Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Zweifel
Mr Speaker				

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Curls	Daus
Donnelly	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hughes
Johnson	Komo	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Threlkeld	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Darrough	Day	Hobbs
Kratky	Kuessner			

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 4, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 4** was read the third time and passed by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Lembke
Lipke	Loehner	May	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Zimmerman
Mr Speaker				

NOES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hughes	Johnson	Komo
Kraus	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Pearce	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Bruns	Darrough	Day	Kratky
Kuessner	Marsh	McGhee		

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 5, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 085

Avery	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 30	Wood	Wright 159	Mr Speaker

NOES: 070

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Daus	Donnelly	Ervin
Fallert	Frame	George	Grill	Harris 23

Harris 110	Haywood	Hodges	Holsman	Hoskins
Hughes	Johnson	Komo	Kraus	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Pratt	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Bruns	Darrough	Day	Kratky
Kuessner	Marsh	McGhee		

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 6, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 6** was read the third time and passed by the following vote:

AYES: 106

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 50	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Haywood
Hobbs	Hubbard	Hughes	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Liese	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yates	Zimmerman
Mr Speaker				

NOES: 047

Baker 25	Bland	Bowman	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Daus	Donnelly
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Johnson	Komo

Lampe	LeVota	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Roorda	Rucker	Salva	Schieffer	Schoemehl
Skaggs	Spreng	Storch	Talboy	Villa
Vogt	Walsh	Walton	Wildberger	Yaeger
Young	Zweifel			

PRESENT: 002

Swinger	Witte
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ABSENT WITH LEAVE: 008

Brown 30	Bruns	Darrough	Day	Kratky
Kuessner	Marsh	Stevenson		

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 7, relating to appropriations, was taken up by Representative Icet.

Speaker Jetton resumed the Chair.

Representative Hunter assumed the Chair.

Speaker Jetton resumed the Chair.

On motion of Representative Icet, **HCS HB 7** was read the third time and passed by the following vote:

AYES: 086

Avery	Bearden	Bivins	Brandom	Brown 50
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Komo	Loehner
Marsh	May	Munzlinger	Nance	Nasheed
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Mr Speaker				

NOES: 069

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Dusenber	Fallert

Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Johnson	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Low 39	Lowe 44	McClanahan	McGhee	Meadows
Meiners	Moore	Muschany	Norr	Oxford
Page	Portwood	Quinn 9	Robinson	Roorda
Salva	Sander	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Wells	Whorton	Wildberger	Witte	Yaeger
Yates	Young	Zimmerman	Zweifel	

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Darrough	Day	Kratky
Kuessner	Pratt			

Speaker Jetton declared the bill passed.

Representative Schoeller assumed the Chair.

HCS HB 8, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 8** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150

Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 006

Bringer	George	Johnson	LeVota	Salva
Vogt				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Darrough	Day	Haywood	Kratky
Kuessner	Marsh	Oxford		

Representative Schoeller declared the bill passed.

HCS HB 9, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 9** was read the third time and passed by the following vote:

AYES: 135

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Brown 50	Bruns
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace

Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 018

Bland	Bringer	Burnett	Casey	Daus
George	Johnson	LeVota	Oxford	Salva
Schoemehl	Spreng	Talboy	Vogt	Whorton
Wildberger	Wright-Jones	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Darrough	Day	Haywood	Kratky
Kuessner	Marsh	Muschany	Pearce	Ruestman

Representative Schoeller declared the bill passed.

Speaker Jetton resumed the Chair.

HCS HB 10, relating to appropriations, was taken up by Representative Icet.

Representative Wilson (130) assumed the Chair.

On motion of Representative Icet, **HCS HB 10** was read the third time and passed by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hughes	Johnson	Komo
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Darrough	Day	Haywood	Kratky
Kuessner	Marsh			

Representative Wilson (130) declared the bill passed.

HCS HB 11, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 11** was read the third time and passed by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 067

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Dougherty	El-Amin

Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Darrough	Day	Ervin	Haywood
Kratky	Kuessner	Marsh		

Representative Wilson (130) declared the bill passed.

HCS HB 12, relating to appropriations, was taken up by Representative Icet.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson

Komo	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Curls	Darrough	Day	Haywood
Kratky	Kuessner	Marsh	Schieffer	

On motion of Representative Icet, **HCS HB 12** was read the third time and passed by the following vote:

AYES: 089

Bearden	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 064

Aull	Avery	Baker 25	Baker 123	Bland
Bowman	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Curls	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hughes
Johnson	Komo	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Corcoran

ABSENT WITH LEAVE: 009

Brown 30	Darrough	Day	Haywood	Kratky
Kuessner	Marsh	Schieffer	Todd	

Representative Wilson (130) declared the bill passed.

Speaker Jetton resumed the Chair.

HCS HB 13, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 13** was read the third time and passed by the following vote:

AYES: 114

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Brown 50	Bruns	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grisamore
Guest	Hobbs	Hodges	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lembke
Liese	Lipke	Loehner	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Todd	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 042

Baker 25	Bland	Bowman	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Daus	Donnelly
George	Grill	Harris 23	Harris 110	Holsman
Johnson	Lampe	LeVota	Low 39	McClanahan
Nasheed	Norr	Oxford	Roorda	Salva
Schoemehl	Shively	Skaggs	Spreng	Storch

Swinger	Talboy	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Darrough	Day	Haywood	Kratky
Kuessner	Marsh			

Speaker Jetton declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 31 - Health Care Policy

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 26 - Agriculture Policy

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 376 - Special Committee on Workforce Development and Workplace Safety
HB 377 - Special Committee on Financial Institutions
HB 382 - Special Committee on Family Services
HB 385 - Ways and Means
HB 565 - Judiciary
HB 591 - Special Committee on Immigration
HB 623 - Special Committee on Student Achievement
HB 769 - Special Committee on Senior Citizen Advocacy
HB 798 - Elementary and Secondary Education
HB 842 - Conservation and Natural Resources
HB 873 - Special Committee on Professional Registration and Licensing
HB 912 - Conservation and Natural Resources
HB 925 - Crime Prevention and Public Safety
HB 948 - Health Care Policy
HB 971 - Elementary and Secondary Education
HB 1022 - Special Committee on Workforce Development and Workplace Safety
HB 1028 - Transportation
HB 1029 - Transportation
HB 1062 - Special Committee on Energy and Environment
HB 1063 - Transportation

HB 1073 - Conservation and Natural Resources
HB 1075 - Judiciary
HB 1084 - Health Care Policy
HB 1090 - Crime Prevention and Public Safety
HB 1108 - Judiciary
HB 1126 - Special Committee on Tax Reform
HB 1128 - Special Committee on Government Affairs
HB 1160 - Local Government
HB 1168 - Special Committee on General Laws
HB 1170 - Elections
HB 1179 - Special Committee on Small Business
HB 1181 - Transportation
HB 1191 - Crime Prevention and Public Safety
HB 1192 - Special Committee on Agri-Business
HB 1193 - Crime Prevention and Public Safety

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 5 - Rules

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJRs 9 & 17 - Crime Prevention and Public Safety

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 19 - Special Committee on General Laws
SB 30 - Special Committee on Tax Reform
SCS SB 46 - Special Committee on Family Services
SCS SB 47 - Crime Prevention and Public Safety
SCS SB 54 - Special Committee on Energy and Environment
SCS SB 67 - Judiciary
SB 79 - Agriculture Policy
SCS SB 197 - Insurance Policy
SS SCS SB 215 - Insurance Policy
SCS SB 232 - Transportation
SS SCS SBs 255, 249 & 279 - Special Committee on General Laws
SB 257 - Special Committee on General Laws
SCS SB 309 - Transportation
SB 325 - Insurance Policy
SCS SB 384 - Transportation

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 478**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 709**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HCR 21**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 21

WHEREAS, due to the continued increase in demand for forest products both nationally and internationally, forest crop land values have greatly increased as a result of such demand; and

WHEREAS, while Missouri has an abundance of forested acres, the majority of those acres are not under forest management practices; and

WHEREAS, in the absence of sustainable forest management practices, yield potentials are not achieved; and

WHEREAS, the State Forest Law administered by the Conservation Commission currently provides cost share programs and partial tax relief for lands valued at \$400 per acre or less; and

WHEREAS, Missouri counties that have forest crop land conveyed to the Conservation Commission and privately-held land designated as forest crop land receive a minimum payment of 50 cents per acre on such land:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby instruct the Missouri Conservation Commission to carefully examine all statutes and regulations regarding forest crop lands of the state and prepare a plan to maximize Missouri forest crop sustainability, yield quantity and quality, and forest bio-mass and forest product utilization; and

BE IT FURTHER RESOLVED that the General Assembly further instructs the Missouri Conservation Commission to examine the current cost share program, tax relief program, and offset payments to counties as to fairness, effectiveness, assessability, and utilization; and

BE IT FURTHER RESOLVED that the Missouri Conservation Commission make a report of its findings and recommendations regarding the State Forest Law to the Missouri General Assembly and the Governor on or before January 1, 2008; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Matt Blunt and the Missouri Conservation Commission.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HJR 9**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1044**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 121**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 821**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1055**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Senior Citizen Advocacy, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 98**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 41, HB 428, HCS HB 616, HB 684, HB 740 and HB 941.**

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 49, introduced by Representative Portwood, relating to the St. Louis schools board of education.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 31, introduced by Representative Lembke, relating to appointment of judges.

HJR 32, introduced by Representatives Cunningham (86), Davis and Ruestman, relating to public aid for religious purposes.

HJR 33, introduced by Representatives Emery, Threlkeld, Kelly, Self, Franz and Jetton, relating to appointment of judges.

HJR 34, introduced by Representative Hunter, relating to the ballot simplification act.

HJR 35, introduced by Representatives Hunter and Nieves, relating to initiative petitions.

HJR 36, introduced by Representative Pearce, relating to the right to keep and bear arms.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1206, introduced by Representative Aull, relating to state aid for schools.

HB 1207, introduced by Representative Davis, relating to state buildings.

HB 1208, introduced by Representative Davis, relating to driver's education instruction.

HB 1209, introduced by Representative Davis, relating to automated traffic control systems.

HB 1210, introduced by Representative Cooper (158), relating to foster care licensing.

HB 1211, introduced by Representative Holsman, relating to school class size.

HB 1212, introduced by Representative Dixon, relating to mechanic's liens.

HB 1213, introduced by Representatives Day, Fisher and Wilson (130), relating to the endowed care fund.

HB 1214, introduced by Representatives Baker (25), Meiners, Curls, Low (39), Stream, Kingery, Bland, Yaeger, Johnson, Flook and Munzlinger, relating to physical education classes for students.

HB 1215, introduced by Representatives Baker (25), Meiners, Yaeger, Wallace, Stream, Kingery, Bowman, Hodges, Flook and Munzlinger, relating to physical education classes for students in the primary grades.

HB 1216, introduced by Representatives Jones (89), Jones (117), Smith (150), Funderburk, Wilson (119), Roorda, Schieffer and Meadows, relating to special license plates for police chaplains.

HB 1217, introduced by Representatives Jones (89), Dusenberg, Jones (117), Smith (150), Funderburk, Wilson (119), Schad, Nolte, Roorda, Villa, Ruzicka and Schieffer, relating to unlawful use of weapons.

HB 1218, introduced by Representatives McGhee, Jones (117), Parson, Nance and Roorda, relating to sheriffs.

HB 1219, introduced by Representatives Schad, Cunningham (86), Munzlinger, Jones (117), McGhee, Day, Bruns, Nieves and Wilson (119), relating to education renewal commissions.

HB 1220, introduced by Representatives Cunningham (86) and Nieves, relating to teacher testing.

HB 1221, introduced by Representative Cunningham (86), relating to neighborhood improvement districts.

HB 1222, introduced by Representatives Cunningham (86), Hunter and Ruestman, relating to lobbying by public school teachers.

HB 1223, introduced by Representatives Cunningham (86) and Nieves, relating to teacher tenure.

HB 1224, introduced by Representatives Cunningham (86) and Nieves, relating to education.

HB 1225, introduced by Representative Cunningham (86), relating to informed consent for abortions.

HB 1226, introduced by Representative Cunningham (86), relating to graduation requirements.

HB 1227, introduced by Representative Cunningham (86), relating to municipal elections.

HB 1228, introduced by Representative Wallace, relating to school funding.

HB 1229, introduced by Representatives Stevenson, Jones (89), Flook, Cox and Franz, relating to child abuse and neglect.

HB 1230, introduced by Representative Silvey, relating to fire departments.

HB 1231, introduced by Representative Cunningham (86), relating to charter schools.

HB 1232, introduced by Representatives Cunningham (86), Hunter and Nieves, relating to extracurricular competitive activities.

HB 1233, introduced by Representatives Skaggs and Talboy, relating to a task force for guidelines for eyewitness evidence in criminal investigations.

HB 1234, introduced by Representative Vogt, relating to the St. Louis students' bill of rights.

HB 1235, introduced by Representative Vogt, relating to insurance compliance audits.

HB 1236, introduced by Representative Smith (14), relating to fire departments.

HB 1237, introduced by Representative St. Onge, relating to motor fuel taxes.

HB 1238, introduced by Representatives Robinson and Fallert, relating to evaluation of juveniles taken into state custody.

HB 1239, introduced by Representatives Schoeller, Scharnhorst, Hobbs, Schad, Emery, Davis, Jetton, Cooper (158), Tilley, Bearden, McGhee, Richard, Robb, Hunter, Dougherty, Ruestman, Faith, Cox, Jones (89), Villa, Onder, Bivins, Portwood, Stevenson, Icet, Muschany, Nieves, Dempsey, Cunningham (145), May, Nolte, El-Amin and Hubbard, relating to open enrollment by contract.

HB 1240, introduced by Representatives Bland, Bowman, Wildberger, Meiners, Brown (50), Curls, Talboy, Walton, Haywood, Wright-Jones, Villa and Johnson, relating to certain health care benefits.

HB 1241, introduced by Representative Davis, relating to sexual offender registration.

HB 1242, introduced by Representative Thomson, to authorize the conveyance of property owned by the state in Nodaway County.

HB 1243, introduced by Representative Nolte, relating to compensation of county commissioners.

HB 1244, introduced by Representatives Nolte, Scharnhorst, Smith (150) and Bivins, relating to property assessments.

HB 1245, introduced by Representatives Nolte and Scharnhorst, relating to payment of real property taxes.

HB 1246, introduced by Representatives Nolte, Scharnhorst and Bivins, relating to taxpayer statements and receipts.

HB 1247, introduced by Representatives Nolte and Wilson (130), relating to disposable cell phone purchases.

HB 1248, introduced by Representative Nolte, relating to displaying of financial information.

HB 1249, introduced by Representatives Nolte, Smith (150) and Scharnhorst, relating to a motor fuel tax holiday.

HB 1250, introduced by Representatives Komo, Meadows, Roorda, Casey and Norr, relating to foreclosure on mortgage loans.

HB 1251, introduced by Representatives Komo, Roorda, Meadows, Wildberger, Frame, Fallert, Casey, Norr, George and Liese, relating to the Joint Committee on Terrorism, Bioterrorism, and Homeland Security.

HB 1252, introduced by Representative Stevenson, relating to the Missouri Renewable Fuel Standard Act.

HB 1253, introduced by Representative Wood, relating to concentrated animal feeding operations.

HB 1254, introduced by Representatives Harris (110), Meadows, Kuessner, Fallert, McGhee, Sander, Schieffer, Onder and Funderburk, relating to the prenatally diagnosed condition awareness act.

HB 1255, introduced by Representatives Walsh, George, Bowman, Liese, Meiners, Spreng, Vogt, Corcoran, Yaeger, Zweifel, Muschany, Schoemehl, Casey and Bivins, relating to property taxation.

HB 1256, introduced by Representative Flook, relating to tax increment financing.

HB 1257, introduced by Representative Donnelly, relating to suicide records.

HB 1258, introduced by Representatives Baker (25), Villa, Whorton, Talboy, Hodges, Rucker, McClanahan, Bowman, Roorda, Oxford, Kuessner, Schieffer and Wildberger, relating to state medical assistance programs.

HB 1259, introduced by Representatives Low (39), Baker (25), LeVota, Meadows, Oxford, Komo and Talboy, relating to paid sick days.

HB 1260, introduced by Representatives Zweifel, Yaeger, Donnelly, Schieffer and Meadows, relating to family development accounts.

HB 1261, introduced by Representative Zweifel, relating to student loan administration.

HB 1262, introduced by Representative Zweifel, relating to motor vehicle registration renewals.

HB 1263, introduced by Representatives Baker (25) and Holsman, relating to renewable energy.

HB 1264, introduced by Representative Page, relating to long-term care.

HB 1265, introduced by Representatives Oxford and Holsman, relating to public financing of certain election campaigns.

HB 1266, introduced by Representatives Wood and Wallace, relating to a parental accountability officer.

HB 1267, introduced by Representative Meadows, relating to funeral establishments.

HB 1268, introduced by Representatives Low (39), Lowe (44), Baker (25), Chappelle-Nadal, Donnelly, Holsman and Oxford, relating to the reduction of carbon dioxide emissions.

HB 1269, introduced by Representative Grisamore, relating to an income tax deduction for certain funeral costs.

HB 1270, introduced by Representative Aull, relating to relocation of a child.

HB 1271, introduced by Representatives Schoeller, Faith, Harris (110), Cunningham (86), Ruestman, Nolte, Davis, Onder, Lembke, Smith (150), Moore, Cunningham (145), Portwood, Icet, Sander, Tilly, Jones (89), Sater, Emery, Dixon, Cooper (158) and Scharnhorst, relating to stem cell research.

HB 1272, introduced by Representatives El-Amin, Zweifel, Stream and Portwood, relating to the metropolitan school district.

HB 1273, introduced by Representative El-Amin, relating to global warming.

HB 1274, introduced by Representatives Roorda, Wildberger and Norr, relating to incorporation of fire codes.

HB 1275, introduced by Representative Wright-Jones, relating to public utilities.

HB 1276, introduced by Representatives Curls and Bland, relating to residential construction disclosure forms.

HB 1277, introduced by Representatives Pearce, Cooper (120), Deeken, St. Onge, Richard, Bruns and Schneider, relating to the sunshine law.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 8**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 26(b) of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bonded indebtedness of school districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 3**, entitled:

An act to repeal sections 198.086, 565.184, 630.005, 630.165, 630.167, 630.725 and 630.755, RSMo, and to enact in lieu thereof twenty-one new sections relating to mental health, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 45 & 39**, entitled:

An act to repeal section 390.030, RSMo, and to enact in lieu thereof three new sections relating to motor carriers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 66**, entitled:

An act to repeal sections 375.320, 375.330, 375.340, 375.345, 375.480, 375.532, 375.534, 375.1070, 375.1072, 375.1075, 376.170, 376.190, 376.280, 376.300, 376.301, 376.303, 376.305, 376.307, 376.320, 376.672, 376.1012, 377.100, 377.200, 381.068, and 409.950, RSMo, and to enact in lieu thereof thirty-four new sections relating to insurance company investments, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 82**, entitled:

An act to repeal sections 301.010, 301.020, 301.196, 301.227, 301.560, 301.460, 304.022, 304.170, and 407.815, RSMo, and section 301.190 as enacted by house committee substitute for senate substitute no. 2 for senate committee substitute for senate bill no. 583, ninety-third general assembly, second regular session and section 301.190 as enacted by senate substitute for senate committee substitute for house bill no. 487 merged with senate bill no. 488, ninety-third general assembly, first regular session, and to enact in lieu thereof eleven new sections relating to the regulation of certain motor vehicles, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 112**, entitled:

An act to repeal sections 160.900, 160.905, 160.910, 160.915, 160.920, 160.925, 160.930, 162.700, and 376.1218, RSMo, and to enact in lieu thereof eleven new sections relating to special education, with an expiration date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 137**, entitled:

An act to repeal section 169.596, RSMo, and to enact in lieu thereof one new section relating to employment of retirees of the public school retirement system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 140**, entitled:

An act to repeal section 162.961, RSMo, and to enact in lieu thereof one new section relating to special education due process hearings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 239, 24 & 445**, entitled:

An act to repeal sections 43.010, 43.030, 43.090, 43.110, 43.120, 43.140, 43.210, 43.220, 301.010, 301.040, 301.130, 301.144, 301.218, 301.221, 301.225, 301.229, 301.301, 301.444, 301.550, 301.560, 301.640, 302.010, 302.272, 302.275, 302.321, 302.545, 302.700, 302.720, 302.755, 302.775, 304.022, 304.070, 304.170, 304.281, 307.100, 307.179, 311.326, and 390.030, RSMo, and to enact in lieu thereof forty-seven new sections relating to the regulation of motor vehicles, with penalty provisions, an effective date for certain sections, and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 302**, entitled:

An act to repeal sections 429.010, 429.080, and 429.603, RSMo, and to enact in lieu thereof three new sections relating to statutory liens against real estate.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 306**, entitled:

An act to amend chapter 8, RSMo, by adding thereto one new section relating to access to the dome of the state capitol.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 320**, entitled:

An act to repeal sections 340.335, 340.337, 340.339, 340.341, 340.343, 340.345, and 340.347, RSMo, and to enact in lieu thereof seventeen new sections relating to large animal veterinary student loan assistance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 328**, entitled:

An act to repeal sections 260.200 and 260.250, RSMo, and to enact in lieu thereof two new sections relating to bioreactors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 338**, entitled:

An act to amend chapter 484, RSMo, by adding thereto one new section relating to allowing attorneys to provide legal services to needy persons without compensation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 393**, entitled:

An act to amend chapter 321, RSMo, by adding thereto one new section relating to fire protection district consolidation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 398**, entitled:

An act to repeal section 456.5-501, RSMo, and to enact in lieu thereof one new section relating to the Missouri uniform trust code.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 417**, entitled:

An act to amend chapter 261, RSMo, by adding thereto one new section relating to the farm mentoring and education fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 419**, entitled:

An act to repeal section 247.060, RSMo, and to enact in lieu thereof one new section relating to public water supply districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 477**, entitled:

An act to repeal sections 590.040 and 590.050, RSMo, and to enact in lieu thereof two new sections relating to peace officer training.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 481**, entitled:

An act to repeal sections 621.250 and 640.013, RSMo, and to enact in lieu thereof two new sections relating to certain appeals to be heard by the administrative hearing commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 513**, entitled:

An act to repeal section 335.212, RSMo, and to enact in lieu thereof one new section relating to the professional and practical nursing student loan program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 520**, entitled:

An act to repeal sections 287.127 and 288.130, RSMo, and to enact in lieu thereof three new sections relating to labor posting requirements, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 530**, entitled:

An act to repeal section 198.086, RSMo, and to enact in lieu thereof one new section relating to the Alzheimer's demonstration project.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 582**, entitled:

An act to repeal sections 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, and 140.420, RSMo, and to enact in lieu thereof eight new sections relating to collection of delinquent taxes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 591**, entitled:

An act to repeal sections 370.005, 370.071, 370.080, 370.081, and 370.082, RSMo, and to enact in lieu thereof six new sections relating to credit unions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 593**, entitled:

An act to repeal sections 105.466, 105.485, 105.957, 105.973, and 130.036, RSMo, and to enact in lieu thereof four new sections relating to ethics.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 605**, entitled:

An act to repeal section 94.660, RSMo, and to enact in lieu thereof one new section relating to a public transit sales tax.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 638**, entitled:

An act to repeal section 79.050, RSMo, and to enact in lieu thereof one new section relating to term of fourth class city mayors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 648**, entitled:

An act to repeal section 217.045, RSMo, and to enact in lieu thereof one new section relating to funds for the department of corrections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 666**, entitled:

An act to repeal section 41.950, RSMo, and to enact in lieu thereof one new section relating to professional license renewals for military.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Friday, March 30, 2007.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Bryan Pratt, District 55, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS HB 7 in the House Journal for March 29, 2007 showing that I did not vote was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2007.

/s/ Bryan Pratt
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 7.

Al Harper, successful owner and operator of the Durango to Silverton and Great Smokey Mountain railroads, will discuss his successful model for freight and tourism and how they may apply to Missouri.

BUDGET

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HJR 20

CONSERVATION AND NATURAL RESOURCES

Monday, April 2, 2007, 12:30 p.m. Hearing Room 1. CANCELLED

Executive session will be held on: HB 886, SCS SB 420

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 6.

Executive session only.

JOINT COMMITTEE ON TAX POLICY

Monday, April 2, 2007, 12:00 p.m. Hearing Room 7.

Discussion on sales tax holiday and tax audits. CANCELLED

JUDICIARY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 504, HB 509, HB 757, HB 800

LOCAL GOVERNMENT

Tuesday, April 3, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 81, SB 237, SB 271

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Monday, April 2, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid reform.

This session will focus on Medicaid for people served through the Department of Health and Senior Services.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 3, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid reform.

This session will focus on Medicaid for people served through the Department of Mental Health.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 4, 2007, 12:00 p.m. To be announced.

Working session on Medicaid reform.

This session will focus on Medicaid for children and parents.

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 363, HB 1092

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Tuesday, April 3, 2007, 9:00 a.m. House Chamber south gallery.

Executive session. Reconsideration of HCS HB 752.

SPECIAL COMMITTEE ON TOURISM

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 166, SB 376

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, April 3, 2007, 5:00 p.m. Hearing Room 7.

Committee will meet at 5:00 p.m. or upon afternoon adjournment, whichever comes first.

Executive session may follow.

Public hearing to be held on: SB 322

TRANSPORTATION

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Work on Omnibus bill.

Public hearings to be held on: HB 646, SCS SB 91, SCS SB 104, SB 200, SB 238, SB 240, SB 395

HOUSE CALENDAR

FORTY-EIGHTH DAY, FRIDAY, MARCH 30, 2007

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 49

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 31 through HJR 36

HOUSE BILLS FOR SECOND READING

HB 1206 through HB 1277

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 21 - Cooper (120)

2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

1 HCS HB 61 - Ruestman

2 HCS HB 90 - St. Onge

3 HCS HB 889 - Emery

- 4 HCS HB 820 - Moore
- 5 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 6 HB 213 - Cunningham (86)
- 7 HCS HB 448 - Spreng
- 8 HCS HB 466 - Schaaf
- 9 HCS HBs 365, 804 & 805 - Ervin
- 10 HCS HB 182 - Bruns
- 11 HCS HB 338 - Tilley
- 12 HCS HB 827 - Muschany
- 13 HCS HB 771 - Bearden
- 14 HCS HBs 180, 396 & 615 - Day
- 15 HCS HB 238 - Yates
- 16 HB 360 - Robb
- 17 HCS HB 788 - Cooper (155)
- 18 HCS HB 551 - Dempsey
- 19 HCS HB 218 - Stevenson
- 20 HB 224 - Franz
- 21 HCS HB 104 - Meiners
- 22 HB 42 - Portwood
- 23 HB 56 - Sater
- 24 HCS HB 181 - Sander
- 25 HB 554 - Cooper (155)
- 26 HCS HB 555 - Cooper (155)
- 27 HB 574 - St. Onge
- 28 HB 596 - St. Onge
- 29 HCS HB 811 - Schad
- 30 HB 412 - Emery
- 31 HCS HB 457 - Sutherland
- 32 HB 462 - Munzlinger
- 33 HB 215 - Stevenson
- 34 HB 432 - Schaaf
- 35 HCS HB 699 - Tilley
- 36 HCS HB 768 - St. Onge
- 37 HCS HB 795 - Flook
- 38 HCS HB 122 - Nance
- 39 HCS HB 891 - Kratky
- 40 HCS HB 914 - Wasson
- 41 HCS HB 159 - Bivins
- 42 HCS HB 184 - Dempsey
- 43 HCS HB 227 - Swinger
- 44 HCS HB 845 - Dixon
- 45 HCS HB 487 - Cooper (120)
- 46 HCS HB 892 - Day
- 47 HB 915 - Dougherty
- 48 HB 916 - Dougherty
- 49 HCS HB 945 - Parson
- 50 HCS HB 298 - Cooper (120)

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- 51 HCS HB 493 - Baker (123)
- 52 HCS HB 512 - Pratt
- 53 HCS HB 261 - Yates
- 54 HCS HBs 619 & 118 - Aull
- 55 HB 746 - Franz
- 56 HB 791 - Wilson (130)
- 57 HB 882 - Page
- 58 HCS HB 1002 - Fisher
- 59 HCS HB 124 - Nance
- 60 HB 134 - Guest
- 61 HCS HB 329 - Cunningham (145)
- 62 HCS HB 343 - Munzlinger
- 63 HCS HB 497 - Sater
- 64 HCS HB 583 - Johnson
- 65 HCS HBs 654 & 938 - Day
- 66 HCS HB 741 - Pearce
- 67 HCS HB 765 - Dempsey
- 68 HCS HBs 807 & 690 - Baker (123)
- 69 HCS HB 818 - Ervin

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 669 - Pearce
- 2 HB 546 - Schaaf
- 3 HCS#2 HB 28 - Cunningham (86)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 744 - St. Onge
- 2 HB 987 - Wasson

HOUSE BILL FOR PERFECTION - CONSENT

(3/28/07)

HCS HB 796 - Dethrow

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 364 - Ervin
- 2 HCS HB 131 - Cooper (120)
- 3 HCS HB 851 - Onder
- 4 HCS HB 165 - Cooper (120)
- 5 HB 527 - Cooper (120)
- 6 HB 579 - Dempsey
- 7 HCS HB 431 - Pratt
- 8 HCS HB 894 - Hoskins

- 9 HCS HB 245 - St. Onge
- 10 HB 233 - Tilley
- 11 HB 482 - Walton

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 267 - Jones (117)
- 2 HB 265 - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 910 - Fares
- 2 HB 933 - Grill
- 3 HB 1014 - Wright
- 4 HB 41 - Portwood
- 5 HB 428 - Cox
- 6 HCS HB 616 - Wood
- 7 HB 684, E.C. - Bruns
- 8 HB 740 - Pearce
- 9 HB 941 - Kingery

SENATE JOINT RESOLUTION FOR SECOND READING

SJR 8

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 3
- 2 SCS SBs 45 & 39
- 3 SCS SB 66
- 4 SCS SB 82
- 5 SS SB 112
- 6 SCS SB 137
- 7 SB 140
- 8 SS SCS SBs 239, 24 & 445
- 9 SCS SB 302
- 10 SB 306
- 11 SS SCS SB 320
- 12 SCS SB 328
- 13 SB 338
- 14 SCS SB 393
- 15 SB 398
- 16 SS SB 417
- 17 SB 419
- 18 SCS SB 477
- 19 SB 481
- 20 SB 513

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21 SCS SB 520
22 SCS SB 530
23 SB 582
24 SS SCS SB 591
25 SB 593
26 SB 605
27 SCS SB 638
28 SB 648
29 SB 666

HOUSE CONCURRENT RESOLUTIONS

1 HCR 28, (2-27-07, Pages 438-439) - Walton
2 HCR 16, (2-21-07, Pages 435-436) - Deeken
3 HCR 17, (2-21-07, Page 437) - Fisher
4 HCR 30, (2-28-07, Page 508) - Pratt
5 HCR 8, (2-21-07, Pages 437-438) - Loehner
6 HCR 11, (3-07-07, Pages 583-584) - Ervin
7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

1 HR 65, (2-27-07, Page 491) - Schaaf
2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FORTY-EIGHTH DAY, FRIDAY, MARCH 30, 2007

The House met pursuant to adjournment.

Representative Deeken in the Chair.

Prayer by David Willis, Intern for Speaker Rod Jetton.

Thank You God for another wonderful day, and thank You for the grace and mercy that You have given us. Thank You for the wonderful weather we have been having this week and thank You for the rain that we are receiving.

I pray for our legislators, Lord, give them the strength they need to represent their constituents and make the right decisions to the best of their ability, with Your help, God.

Give us the strength for another day, Lord. In Jesus' name I pray. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1629 and House Resolution No. 1630

HOUSE CONCURRENT RESOLUTIONS

Representative Walton offered House Concurrent Resolution No. 52.

Representative Lampe, et al., offered House Concurrent Resolution No. 53.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 49 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 31 through **HJR 36** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1206 through **HB 1277** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 8 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 3, SCS SBs 45 & 39, SCS SB 66, SCS SB 82, SS SB 112, SCS SB 137, SB 140, SS SCS SBs 239, 24 & 445, SCS SB 302, SB 306, SS SCS SB 320, SCS SB 328, SB 338, SCS SB 393, SB 398, SS SB 417, SB 419, SCS SB 477, SB 481, SB 513, SCS SB 520, SCS SB 530, SB 582, SS SCS SB 591, SB 593, SB 605, SCS SB 638, SB 648 and SB 666 were read the second time.

COMMITTEE REPORTS

Special Committee on Immigration, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 33

WHEREAS, President George W. Bush established the Security and Prosperity Partnership (SPP) of North America, with the nations of Mexico and Canada on March 23, 2005; and

WHEREAS, a television reporter asked President Bush on March 23, 2005, whether in light of the European Union the SPP was a step towards continental integration and he responded, "...So that the vision that you asked about in your question as to what kind of union might there be, I see one based upon free trade, that would then entail commitment to markets and democracy, transparency, rule of law..."; and

WHEREAS, the gradual creation of such a North American Union from a merger of the United States, Mexico, and Canada would be a direct threat to the Constitution and national independence of the United States, and imply an eventual end to national borders within North America; and

WHEREAS, a White House news release confirmed the continuing existence of the SPP and its "ongoing process of cooperation" on March 31, 2006; and

WHEREAS, Congressman Ron Paul has written that a key to the SPP plan is an extensive new NAFTA superhighway: "[U]nder this new 'partnership', a massive highway is being planned to stretch from Canada into Mexico, through the State of Texas"; and

WHEREAS, this trilateral partnership to develop a North American Union has never been presented to Congress as an agreement or treaty, and has had virtually no congressional oversight; and

WHEREAS, state and local governments throughout the United States would be negatively impacted by the SPP/North American Union process, such as the "open borders" vision of the SPP, eminent domain takings of private property along the planned superhighways, and increased law enforcement problems along those same superhighways:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Congress of the United States to use all of its efforts, energies, and diligence to withdraw the United States from any further participation in the Security and Prosperity Partnership of North America and any other bilateral or multilateral activity however named

which seeks to advance, authorize, fund, or in any way promote the creation of any structure to accomplish any form of North American Union as herein described; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HCS HB 85**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 37, introduced by Representatives Baker (25), McClanahan and Lampe, relating to bonding for higher education projects.

HJR 38, introduced by Representative Yates, relating to voter identification.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1278, introduced by Representative Cooper (158), relating to the second injury fund.

HB 1279, introduced by Representatives Avery and Portwood, relating to financial institutions.

HB 1280, introduced by Representative Hobbs, relating to the Missouri local government employees' retirement system.

HB 1281, introduced by Representatives Stream, Jetton, Stevenson, Wallace, Wilson (130), Fares, Bowman, Cox, Munzlinger, Pearce, Funderburk, Ruzicka, Jones (117), Icet, Richard, Hobbs, Guest, Moore, Tilley, Silvey, Faith, Cunningham (145), Schoeller, Smith (150), Robb, Scharnhorst, Fisher, Thomson, Cooper (158), Hubbard, Brown (50), Cunningham (86), El-Amin, Avery, Cooper (120), Grisamore, Schlottach, Threlkeld, Wasson, Weter, Bivins, Baker (123), Kraus, Pollock, Franz, Ruestman and Schad, relating to the establishment of metropolitan successor and metro school districts.

HB 1282, introduced by Representatives Scharnhorst, Avery and Bruns, relating to sales and use tax.

HB 1283, introduced by Representatives Dixon and Schoeller, relating to school board elections.

HB 1284, introduced by Representatives Dixon and Schoeller, relating to school district participation in the Baldrige continuous quality improvement program.

HB 1285, introduced by Representative Cooper (158), relating to exclusions from public records.

HB 1286, introduced by Representative Dixon, relating to the child abuse prevention task force.

HB 1287, introduced by Representative Cooper (120), relating to excursion gambling boats.

HB 1288, introduced by Representative Cooper (158), relating to collection of delinquent taxes.

HB 1289, introduced by Representative Onder, relating to controlled substances.

HB 1290, introduced by Representative Muschany, relating to the definition of health care providers for purposes of medical malpractice.

HB 1291, introduced by Representative Cooper (158), relating to political subdivision notice requirements.

HB 1292, introduced by Representative Corcoran, relating to tax relief requirements for corporations.

HB 1293, introduced by Representative Sander, relating to emergency services.

HB 1294, introduced by Representative Yates, relating to school food.

HB 1295, introduced by Representative Faith, relating to transit authority sales taxes.

HB 1296, introduced by Representative Richard, relating to excursion gambling boats.

HB 1297, introduced by Representative Yates, relating to peace officer's powers of arrest and fresh pursuit.

HB 1298, introduced by Representative Yates, relating to general assembly members' salaries.

The following members' presence was noted: Bruns, Casey, Faith, Frame, Hodges, Kingery, Low (39), Nieves, Portwood, Roorda, Todd and Weter.

ADJOURNMENT

On motion of Representative Deeken, the House adjourned until 2:00 p.m., Monday, April 2, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 7.

Al Harper, successful owner and operator of the Durango to Silverton and Great Smokey Mountain railroads, will discuss his successful model for freight and tourism and how they may apply to Missouri.

BUDGET

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HJR 20

CONSERVATION AND NATURAL RESOURCES

Monday, April 2, 2007, 12:30 p.m. Hearing Room 1. CANCELLED

Executive session will be held on: HB 886, SCS SB 420

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 6.

Executive session only.

ELECTIONS

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1170

JOINT COMMITTEE ON EDUCATION

Tuesday, April 3, 2007, 9:00 a.m. State Capitol, Room 111.

Discussion of Job Description of Director.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Tuesday, April 3, 2007, 12:30 p.m. Hearing Room 7.

Challenge hearing for SB 469.

JOINT COMMITTEE ON TAX POLICY

Monday, April 2, 2007, 12:00 p.m. Hearing Room 7.

Discussion on sales tax holiday and tax audits. CANCELLED

JUDICIARY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 504, HB 509, HB 757, HB 800

LOCAL GOVERNMENT

Tuesday, April 3, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 81, SB 237, SB 271

RULES

Tuesday, April 3, 2007, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCR 26, HCS HCR 21, HCS HJR 9, HCS HB 709, HCS HB 478, HCS HB 995, HCS HB 252, HCS HB 417, HCS HB 121, HCS HB 1044, HCS HB 98, HCS HB 508, HCS HB 490, HB 249, HB 821, HB 716, HB 461

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Monday, April 2, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid reform.

This session will focus on Medicaid for people served through the Department of Health and Senior Services.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 3, 2007, upon afternoon adjournment Hearing Room 6.

Working session on Medicaid reform.

This session will focus on Medicaid for people served through the Department of Mental Health.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 4, 2007, 12:00 p.m. To be announced.

Working session on Medicaid reform.

This session will focus on Medicaid for children and parents.

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 363, HB 1092

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Tuesday, April 3, 2007, 9:00 a.m. House Chamber south gallery.

Executive session. Reconsideration HCS HB 752.

SPECIAL COMMITTEE ON TOURISM

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 166, SB 376

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, April 3, 2007, 5:00 p.m. Hearing Room 7.

Committee will meet at 5:00 p.m. or upon afternoon adjournment, whichever comes first.

Executive session may follow.

Public hearing to be held on: SB 322

TRANSPORTATION

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Work on Omnibus bill.

Public hearings to be held on: HB 646, SCS SB 91,

SCS SB 104, SB 200, SB 238, SB 240, SB 395

HOUSE CALENDAR

FORTY-NINTH DAY, MONDAY, APRIL 2, 2007

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 37 and HJR 38

HOUSE BILLS FOR SECOND READING

HB 1278 through HB 1298

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 90 - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 820 - Moore
- 5 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 6 HB 213 - Cunningham (86)
- 7 HCS HB 448 - Spreng
- 8 HCS HB 466 - Schaaf
- 9 HCS HB 365, 804 & 805 - Ervin
- 10 HCS HB 182 - Bruns
- 11 HCS HB 338 - Tilley
- 12 HCS HB 827 - Muschany
- 13 HCS HB 771 - Bearden

- 14 HCS HB 180, 396 & 615 - Day
- 15 HCS HB 238 - Yates
- 16 HB 360 - Robb
- 17 HCS HB 788 - Cooper (155)
- 18 HCS HB 551 - Dempsey
- 19 HCS HB 218 - Stevenson
- 20 HB 224 - Franz
- 21 HCS HB 104 - Meiners
- 22 HB 42 - Portwood
- 23 HB 56 - Sater
- 24 HCS HB 181 - Sander
- 25 HB 554 - Cooper (155)
- 26 HCS HB 555 - Cooper (155)
- 27 HB 574 - St. Onge
- 28 HB 596 - St. Onge
- 29 HCS HB 811 - Schad
- 30 HB 412 - Emery
- 31 HCS HB 457 - Sutherland
- 32 HB 462 - Munzlinger
- 33 HB 215 - Stevenson
- 34 HB 432 - Schaaf
- 35 HCS HB 699 - Tilley
- 36 HCS HB 768 - St. Onge
- 37 HCS HB 795 - Flook
- 38 HCS HB 122 - Nance
- 39 HCS HB 891 - Kratky
- 40 HCS HB 914 - Wasson
- 41 HCS HB 159 - Bivins
- 42 HCS HB 184 - Dempsey
- 43 HCS HB 227 - Swinger
- 44 HCS HB 845 - Dixon
- 45 HCS HB 487 - Cooper (120)
- 46 HCS HB 892 - Day
- 47 HB 915 - Dougherty
- 48 HB 916 - Dougherty
- 49 HCS HB 945 - Parson
- 50 HCS HB 298 - Cooper (120)
- 51 HCS HB 493 - Baker (123)
- 52 HCS HB 512 - Pratt
- 53 HCS HB 261 - Yates
- 54 HCS HBs 619 & 118 - Aull
- 55 HB 746 - Franz
- 56 HB 791 - Wilson (130)
- 57 HB 882 - Page
- 58 HCS HB 1002 - Fisher

- 59 HCS HB 124 - Nance
- 60 HB 134 - Guest
- 61 HCS HB 329 - Cunningham (145)
- 62 HCS HB 343 - Munzlinger
- 63 HCS HB 497 - Sater
- 64 HCS HB 583 - Johnson
- 65 HCS HBs 654 & 938 - Day
- 66 HCS HB 741 - Pearce
- 67 HCS HB 765 - Dempsey
- 68 HCS HBs 807 & 690 - Baker (123)
- 69 HCS HB 818 - Ervin

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 669 - Pearce
- 2 HB 546 - Schaaf
- 3 HCS#2 HB 28 - Cunningham (86)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 744 - St. Onge
- 2 HB 987 - Wasson

HOUSE BILL FOR PERFECTION - CONSENT

(3/28/07)

HCS HB 796 - Dethrow

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 364 - Ervin
- 2 HCS HB 131 - Cooper (120)
- 3 HCS HB 851 - Onder
- 4 HCS HB 165 - Cooper (120)
- 5 HB 527 - Cooper (120)
- 6 HB 579 - Dempsey
- 7 HCS HB 431 - Pratt
- 8 HCS HB 894 - Hoskins
- 9 HCS HB 245 - St. Onge
- 10 HB 233 - Tilley
- 11 HB 482 - Walton

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 267 - Jones (117)
- 2 HB 265 - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 910 - Fares
- 2 HB 933 - Grill
- 3 HB 1014 - Wright
- 4 HB 41 - Portwood
- 5 HB 428 - Cox
- 6 HCS HB 616 - Wood
- 7 HB 684, E.C. - Bruns
- 8 HB 740 - Pearce
- 9 HB 941 - Kingery

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin
- 7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

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First Regular Session, 94th GENERAL ASSEMBLY

FORTY-NINTH DAY, MONDAY, APRIL 2, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Ed Emery.

O GOD, OUR FATHER, history and experience have given us so many evidences of Thy guidance to nations and to individuals that we should not doubt Thy power or Thy willingness to direct us.

Give us the faith to believe that when God wants us to do or not to do any particular thing, God finds a way of letting us know it.

May we not make it more difficult for Thee to guide us, but be willing to be led of Thee, that Thy will may be done in us and through us for the good of America and all mankind. This we ask in Jesus' name. Amen.

(Former U. S. Senate Chaplain, Peter Marshall, 1948)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jordan Babcock and Michael Bernard.

The Journal of the forty-seventh day was approved as printed.

The Journal of the forty-eighth day was approved as printed.

HOUSE RESOLUTION

Representative Jones (117) offered House Resolution No. 1678.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1631 through House Resolution No. 1677

House Resolution No. 1679 through House Resolution No. 1690

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 37 and **HJR 38** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1278 through **HB 1298** were read the second time.

Representative Stevenson assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HBs 365, 804 & 805, relating to the Small Business Growth Act, was taken up by Representative Ervin.

Representative Ervin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 365, 804 & 805, Section 620.1892, Page 7, Line 21, by inserting after the words, "profit or not" the following words, "**that qualifies as a Missouri small business as defined in Section 135.400, RSMo**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ervin, **House Amendment No. 1** was adopted.

Representative Richard offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 365, 804 & 805, Section 135.403, Page 5, Line 55, by inserting after all of said section the following:

"144.055. In addition to all other exemptions granted under this chapter, there is also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745 and from the computation of the tax levied, assessed, or payable under the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745, all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 2** was adopted.

Representative Richard offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 365, 804 & 805, Page 5, Section 135.403, Line 55, by inserting after all of said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;**
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and**

lots kept open for health, use or ornament. **As used in this subdivision, "belonging" means holding a fee interest in real property without regard to the presence of any inferior possessory interest in cases where lands are used so as to facilitate air transportation at nonprimary commercial service airports and reliever airports, as defined by the Federal Aviation Administration;**

- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
- (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;
- (7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes; and
- (8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverts, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:
 - (a) The right of the interstate compact agency to use, control, and possess the property is terminated;
 - (b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and
 - (c) There are no provisions for reverter of the property within the limitation period for reverts."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Darrough raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Stevenson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Donnelly offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for House Bill Nos. 365, 804 & 805, Page 1, Section 137.100, Line 16, by inserting after said line:

"such exemption shall only include taxes on underlying real estate and not on improvements to the land."

On motion of Representative Donnelly, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Richard, **House Amendment No. 3, as amended**, was adopted.

Representative Hobbs offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 365, 804 & 805, Section 135.403, Page 5, Line 55, by inserting immediately after said line the following:

"135.1200. 1. There is hereby created a "Regional Economic Development Initiative" to promote individual and business investments in economic development within the individual's or business' region through contributions to support regional economic development organizations' initiatives.

2. As used in this section, the following words and phrases shall mean:

(1) "Department", the department of economic development;

(2) "Regional economic development organization", any legally formed and locally recognized nonprofit organization representing multiple cities or counties with the goal of promoting economic growth for its respective areas;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or otherwise due under chapter 147, 148, or 153, RSMo;

(4) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax imposed in chapter 147, 148, or 153, RSMo.

3. A regional economic development organization may submit an application for authorization for tax credits to the department. The application shall identify the proposed use of such credit and the areas of emphasis for the use of such credits. Funds shall be used in a manner which furthers the economic growth of the region consistent with the goals and written plans of the regional economic development organization. Eligible activities shall include but not be limited to the following:

(1) Public infrastructure and related activities which include but are not limited to the acquisition of land, water, sewer, streets, and buildings;

(2) Revolving loan programs; or

(3) Job training programs.

4. Applications shall include the following:

(1) A resolution passed by the regional economic development organization's board approving the economic growth project;

(2) The method by which the regional economic development organization will measure success of the initiative;

(3) The proposed fund-raising period;

(4) The proposed project period; and

(5) The amount of tax credit authorization sought.

5. In approving applications, the department shall consider:

(1) The number of persons, families, or businesses which would benefit from the proposed project;

(2) The extent that additional public or private funds will be leveraged; and

(3) The potential impact of the project on existing businesses.

6. No application shall be authorized for an amount more than two million dollars in tax credits. No more than fifty thousand per year and one hundred fifty thousand total shall be used to support the operation of the regional economic development organization, including but not limited to salaries, marketing, operating expenses, and equipment.

7. The regional economic development organization shall provide the department with documentation of funds raised and expended under this section. Such organization shall submit quarterly reports detailing funds expended and the progress of the project. Within six months of the end of the project period, the regional economic development organization shall report the results and economic success and submit an audit.

8. If at the conclusion of the project period the funds raised have not been expended consistent with the approved application or the project has not been completed, an amount corresponding to the respective tax credits issued shall be repaid. Repayment may be in the form of cash paid directly to the department by the applicant or the voluntary relinquishment of the tax credits.

9. For all taxable years beginning on or after December 31, 2007, any taxpayer shall be entitled to a tax credit against any tax otherwise due under the provisions of chapter 143, 147, 148, or 153, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, in the amount of fifty percent of any amount contributed by the taxpayer to a regional economic development organization if the regional economic development organization's plan has been accepted and approved by the department. The contributions shall be made within the fund-raising period approved by the department.

10. The tax credit may be carried forward for up to five years, and the taxpayer may sell, assign, or otherwise transfer the tax credits.

11. The aggregate of all tax credits authorized under this section shall not exceed twelve million dollars in any year or thirty-six million dollars cumulatively.

12. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

13. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill Nos. 365, 804 & 805, Page 4, Line 7, by adding after said line:

"14. The provisions of this section shall not be used for retail projects."

On motion of Representative Skaggs, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Hobbs, **House Amendment No. 4, as amended**, was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg

Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 117	Kelly
Kingery	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Nasheed	Norr	Oxford	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Brown 30	Dougherty	Johnson	Jones 89
Kratky	Kraus	Marsh	Meiners	Page
Storch	Yaeger	Zimmerman		

On motion of Representative Ervin, **HCS HBs 365, 804 & 805, as amended**, was adopted by the following vote:

AYES: 128

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Brown 50	Bruns
Burnett	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Haywood	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Lampe	Lembke
LeVota	Lipke	Loehner	May	McClanahan

McGhee	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zweifel	Mr Speaker		

NOES: 024

Bringer	Casey	Fallert	Frame	George
Harris 110	Hodges	Kuessner	Liese	Low 39
Lowe 44	Meadows	Oxford	Quinn 9	Rucker
Sander	Schieffer	Schoemehl	Shively	Swinger
Talboy	Todd	Vogt	Walsh	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Brown 30	Johnson	Kratky	Kraus
Marsh	Meiners	Page	Storch	Yaeger
Zimmerman				

On motion of Representative Ervin, **HCS HBs 365, 804 & 805, as amended**, was ordered perfected and printed.

HCS HB 448, relating to a credit on cars made in Missouri, was taken up by Representative Spreng.

On motion of Representative Spreng, **HCS HB 448** was adopted.

On motion of Representative Spreng, **HCS HB 448** was ordered perfected and printed.

HCS HB 182, relating to the Do-Not-Resuscitate Act, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS HB 182** was adopted.

On motion of Representative Bruns, **HCS HB 182** was ordered perfected and printed.

HCS HB 338, relating to compensation for certain corrections employees, was taken up by Representative Tilley.

Representative Skaggs offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 338, Page 1, Section 217.109, Line 1, by inserting immediately after the "." on said line the following "1."; and

Further amend said bill and section, Line 14, by inserting immediately after said line the following:

"2. Beginning January 1, 2008, the department of corrections shall conduct a salary equity study of all corrections employees. Such study shall include, but not be limited to the employee's job performance, years of service, and educational attainment."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 1** was adopted.

Representative Robinson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 338, Page 1, Section 217.109, Line 14, by deleting all of said line and inserting in lieu thereof the following:

- "9) **Functional unit manager;**
- 10) **Barber;**
- 11) **Building construction worker II;**
- 12) **Cook I;**
- 13) **Cook II;**
- 14) **Custodial worker I;**
- 15) **Custodial worker II;**
- 16) **Electronics tech;**
- 17) **Fire and safety specialist;**
- 18) **Garage supervisor;**
- 19) **Heavy equipment mechanic;**
- 20) **HVAC instrument controls tech;**
- 21) **Labor supervisor;**
- 22) **Laundry manager I;**
- 23) **Laundry manager II;**
- 24) **Laundry supervisor;**
- 25) **Locksmith;**
- 26) **Maintenance supervisor I;**
- 27) **Maintenance worker I;**
- 28) **Maintenance worker II;**
- 29) **Motor vehicle driver;**
- 30) **Motor vehicle mechanic;**
- 31) **Service manager I;**
- 32) **Storekeeper I;**
- 33) **Storekeeper II;**
- 34) **Tractor trailer driver;**
- 35) **Vocation enterprise supervisor;**
- 36) **Boiler operator;**
- 37) **Stationary engineer;**
- 38) **Power plant mechanic;"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Robinson, **House Amendment No. 2** was adopted.

Representative Aull offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 338, Page 1, Section 217.109, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"217.109. 1. Except as provided in subsection 2 of this section beginning July 1, 2008, and for each subsequent fiscal year, in addition"; and

Further amend said bill, Page 1, Section 217.109, Line 14, by inserting after all of said line the following:

"2. Each corrections employee designated to receive increases in compensation under subsection 1 of this section shall only receive such increases in compensation for a period of ten years."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Aull, **House Amendment No. 3** was adopted.

On motion of Representative Tilley, **HCS HB 338, as amended**, was adopted.

On motion of Representative Tilley, **HCS HB 338, as amended**, was ordered perfected and printed.

HCS HB 827, relating to children in residential care, was taken up by Representative Muschany.

Representative Muschany offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 827, Page 1, Section 167.128, Line 7, by inserting after the word "**process**." the following:

"The local school district shall be invited to have representation on the child's family support team."; and

Further amend said bill and section, Page 2, Line 39, by deleting the word "**subsection**" and inserting in lieu thereof the following:

"subdivision"; and

Further amend said bill and section, Page 3, Line 75, by deleting the figure "**2**" and inserting in lieu thereof the following:

"3"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wallace offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1 to House Amendment No. 1 was withdrawn.

Representative Wallace offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 827, Page 1, Section 167.128, Line 4, by inserting immediately after the word "services." the following:

"In the case of a child placed in a facility under subsection 3 of this section, a representative from the school district and a representative of the facility shall be invited to participate on the team for purposes of determining educational needs, with the school district representative to be given the right of final approval."; and

Further amend said bill, Page 2, Section 167.128, Line 29, by deleting the word "full"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wallace moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Muschany, **House Amendment No. 1** was adopted.

Representative Aull offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 827, Page 3, Section 167.128, Line 80, by adding after all of said line the following:

"6. (1) Any residential treatment facility that expects the local public school district to provide educational services for students of the treatment facility shall work with the district and develop an educational plan that describes in general how full-day educational services will be provided to school-aged residents of the treatment facility under a variety of possible circumstances. The educational plan shall be developed jointly by the appropriate staff of both the treatment facility and the public school district, and the plan shall be signed annually by the administration of both parties verifying their support for the plan.

(2) It is the intent that the educational plan follow the provisions of this section, but treatment facilities and school districts may develop provisions for educational services not included in this section if both parties agree on the provisions and if the provisions offer a full-day educational program for the students involved.

(3) It is understood as a condition of the plan that both the treatment facility and school district shall be fully reimbursed, as allowed by law in accordance with the availability of funds, for their portions of the cost of providing educational services through such sources as basic state aid, local district bill-back, and excess cost reimbursement, as well as other possible sources.

(4) Each treatment facility and school district shall furnish a signed copy of their educational plan to the department of elementary and secondary education and to the department of social services no later than September 15 of each year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Aull, **House Amendment No. 2** was adopted.

On motion of Representative Muschany, **HCS HB 827, as amended**, was adopted.

On motion of Representative Muschany, **HCS HB 827, as amended**, was ordered perfected and printed.

HB 360, relating to a tax credit for film production, was taken up by Representative Robb.

Representative Burnett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 360, Page 3, Section 135.750, Lines 68-75, by deleting said lines and section from the bill; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Skaggs offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 360, Page 3, Section 135.750, Line 75, by inserting after said line the following:

"No tax credit shall be issued for any film production that does not promote Missouri values which shall include, but not be limited to, the sanctity of marriage and abstinence from illegal controlled substance usage."

Representative Pratt raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** goes beyond the scope of the bill.

Representative Stevenson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Jones (89) assumed the Chair.

HB 360, with House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 236 - Special Committee on Student Achievement

COMMITTEE REPORTS

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 399**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 272**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 308**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Government Affairs, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SB 218**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SB 407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SB 416**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HJR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1000**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

The following members' presence was noted: Bland, Johnson and Meiners.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, April 3, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 3.

Select programs from the Department of Elementary and Secondary Education.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 7.

Al Harper, successful owner and operator of the Durango to Silverton and Great Smokey Mountain railroads, will discuss his successful model for freight and tourism and how they may apply to Missouri.

BUDGET

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HJR 20

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 4.

Executive session only.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 6.

Executive session only.

ELECTIONS

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1170

HEALTH CARE POLICY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 948, HB 1084

HIGHER EDUCATION

Tuesday, April 3, 2007, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 438

INSURANCE POLICY

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 998, SCS SB 197, SS SCS SB 215, SB 325

JOINT COMMITTEE ON EDUCATION

Tuesday, April 3, 2007, 9:00 a.m. State Capitol - Room 111.

Discussion of Job Description of Director.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Tuesday, April 3, 2007, 12:30 p.m. Hearing Room 7.

Challenge hearing for SB 469.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 12, 2007, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

JUDICIARY

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 504, HB 509, HB 757, HB 800

LOCAL GOVERNMENT

Tuesday, April 3, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 81, SB 237, SB 271

RULES

Tuesday, April 3, 2007, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCR 26, HCS HCR 21, HCS HJR 9, HCS HB 709, HCS HB 478, HCS HB 995, HCS HB 252, HCS HB 417, HCS HB 121, HCS HB 1044, HCS HB 98, HCS HB 508, HCS HB 490, HB 249, HB 821, HB 716, HB 461

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 25, SB 84, SCS SB 46

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 762, SB 257, SB 352

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, April 3, 2007, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: HB 569

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 3, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid reform.

This session will focus on Medicaid for people served through the Department of Mental Health.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 4, 2007, 12:00 p.m. To Be Announced.

Working session on Medicaid reform.

This session will focus on Medicaid for children and parents.

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 363, HB 1092

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Tuesday, April 3, 2007, 9:00 a.m. House Chamber south gallery.

Executive session.

Reconsideration HCS HB 752.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 623, SCS SB 64, SB 236

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, April 3, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1089

SPECIAL COMMITTEE ON TOURISM

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 166, SB 376

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, April 3, 2007, 5:00 p.m. Hearing Room 7.

Committee will meet at 5:00 p.m. or upon afternoon adjournment, whichever comes first.

Executive session may follow. CANCELLED

Public hearing to be held on: SB 322

TRANSPORTATION

Tuesday, April 3, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Work on Omnibus bill.

Public hearings to be held on: HB 646, SCS SB 91, SCS SB 104, SB 200, SB 238, SB 240, SB 395

TRANSPORTATION

Wednesday, April 4, 2007, 8:00 a.m. House Lounge.

Executive session may follow.

Work on Omnibus Bill.

Public hearings to be held on: HB 1028, HB 1029, HB 1063,
HB 1181, SB 102, SCS SB 103, SB 543

HOUSE CALENDAR

FIFTIETH DAY, TUESDAY, APRIL 3, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61 - Ruestman
- 2 HCS HB 90 - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 820 - Moore
- 5 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 6 HB 213 - Cunningham (86)
- 7 HCS HB 466 - Schaaf
- 8 HCS HB 771 - Bearden
- 9 HCS HBs 180, 396 & 615 - Day
- 10 HCS HB 238 - Yates
- 11 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 12 HCS HB 788 - Cooper (155)
- 13 HCS HB 551 - Dempsey
- 14 HCS HB 218 - Stevenson
- 15 HB 224 - Franz
- 16 HCS HB 104 - Meiners
- 17 HB 42 - Portwood

- 18 HB 56 - Sater
- 19 HCS HB 181 - Sander
- 20 HB 554 - Cooper (155)
- 21 HCS HB 555 - Cooper (155)
- 22 HB 574 - St. Onge
- 23 HB 596 - St. Onge
- 24 HCS HB 811 - Schad
- 25 HB 412 - Emery
- 26 HCS HB 457 - Sutherland
- 27 HB 462 - Munzlinger
- 28 HB 215 - Stevenson
- 29 HB 432 - Schaaf
- 30 HCS HB 699 - Tilley
- 31 HCS HB 768 - St. Onge
- 32 HCS HB 795 - Flook
- 33 HCS HB 122 - Nance
- 34 HCS HB 891 - Kratky
- 35 HCS HB 914 - Wasson
- 36 HCS HB 159 - Bivins
- 37 HCS HB 184 - Dempsey
- 38 HCS HB 227 - Swinger
- 39 HCS HB 845 - Dixon
- 40 HCS HB 487 - Cooper (120)
- 41 HCS HB 892 - Day
- 42 HB 915 - Dougherty
- 43 HB 916 - Dougherty
- 44 HCS HB 945 - Parson
- 45 HCS HB 298 - Cooper (120)
- 46 HCS HB 493 - Baker (123)
- 47 HCS HB 512 - Pratt
- 48 HCS HB 261 - Yates
- 49 HCS HBs 619 & 118 - Aull
- 50 HB 746 - Franz
- 51 HB 791 - Wilson (130)
- 52 HB 882 - Page
- 53 HCS HB 1002 - Fisher
- 54 HCS HB 124 - Nance
- 55 HB 134 - Guest
- 56 HCS HB 329 - Cunningham (145)
- 57 HCS HB 343 - Munzlinger
- 58 HCS HB 497 - Sater
- 59 HCS HB 583 - Johnson
- 60 HCS HBs 654 & 938 - Day
- 61 HCS HB 741 - Pearce
- 62 HCS HB 765 - Dempsey
- 63 HCS HBs 807 & 690 - Baker (123)
- 64 HCS HB 818 - Ervin

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 546 - Schaaf
- 2 HCS#2 HB 28 - Cunningham (86)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 744 - St. Onge
- 2 HB 987 - Wasson

HOUSE BILL FOR PERFECTION - CONSENT

(3/28/07)

HCS HB 796 - Dethrow

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 364 - Ervin
- 2 HCS HB 131 - Cooper (120)
- 3 HCS HB 851 - Onder
- 4 HCS HB 165 - Cooper (120)
- 5 HB 527 - Cooper (120)
- 6 HB 579 - Dempsey
- 7 HCS HB 431 - Pratt
- 8 HCS HB 894 - Hoskins
- 9 HCS HB 245 - St. Onge
- 10 HB 233 - Tilley
- 11 HB 482 - Walton

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 267 - Jones (117)
- 2 HB 265 - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 910 - Fares
- 2 HB 933 - Grill
- 3 HB 1014 - Wright
- 4 HB 41 - Portwood
- 5 HB 428 - Cox
- 6 HCS HB 616 - Wood
- 7 HB 684, E.C. - Bruns
- 8 HB 740 - Pearce
- 9 HB 941 - Kingery

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin
- 7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTIETH DAY, TUESDAY, APRIL 3, 2007

The House met pursuant to adjournment.

Representative Nieves in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, You are the fountain of life. This week, through Your Christian people You sharpen our awareness of suffering, dying and new life.

You offer profound meaning to unavoidable suffering, and You call us to work with great strength against unjust suffering among our people. You give hope to those who face dying and You call us to challenge and work strongly against every form of wrongful death.

Lord God, help us to work for the improvement of the life of the people wherever this is needed. Give us the grace to do our work with great determination, perseverance and strength of character.

We honor You, Almighty God, our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Natalie Floyd and Joseph Summers.

The Journal of the forty-ninth day was approved as printed.

PERFECTION OF HOUSE BILLS

HCS HB 583, relating to orders of protection, was taken up by Representative Johnson.

On motion of Representative Johnson, **HCS HB 583** was adopted.

On motion of Representative Johnson, **HCS HB 583** was ordered perfected and printed.

HB 462, relating to concealable firearms, was taken up by Representative Munzlinger.

Representative Day offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 462, Page 5, Line 105, by inserting after all of said line the following:

"571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Possesses or discharges a firearm or projectile weapon while intoxicated; or

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, RSMo, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (3), (4), (6), (7), (8), (9) and (10) of subsection 1 of this section shall not apply to or affect any of the following:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050, RSMo, and possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer **or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921;**

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo; and

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of age or older transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this

state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031, RSMo.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

571.095. Upon conviction for or attempting to commit a felony in violation of any law perpetrated in whole or in part by the use of a firearm, the court may, in addition to the penalty provided by law for such offense, order the confiscation and disposal **or sale or trade to a licensed firearms dealer** of firearms and ammunition used in the commission of the crime or found in the possession or under the immediate control of the defendant at the time of his **or her** arrest. **The proceeds of any sale or gains from trade shall be the property of the police department or sheriff's department responsible for the defendant's arrest or the confiscation of the firearms and ammunition.** If such firearms or ammunition are not the property of the convicted felon, they shall be returned to their rightful owner if he **or she** is known and was not a participant in the crime. **Any proceeds collected under this section shall be deposited by the county treasurer into the county sheriff's revolving fund established in section 50.535, RSMo."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Day, **House Amendment No. 1** was adopted.

Representative Dethrow offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 462, Page 2, Section 476.083, Line 17, by inserting immediately after said line the following:

"571.111. 1. An applicant for a concealed carry endorsement shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry endorsement:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; **or**

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590, RSMo; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710, RSMo; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her by section 217.105, RSMo, that includes instruction on the justifiable use of force as prescribed in chapter 563, RSMo.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

(1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;

(2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;

(3) The basic principles of marksmanship;

(4) Care and cleaning of concealable firearms;

(5) Safe storage of firearms at home;

(6) The requirements of this state for obtaining a certificate of qualification for a concealed carry endorsement from the sheriff of the individual's county of residence and a concealed carry endorsement issued by the department of revenue;

(7) The laws relating to firearms as prescribed in this chapter;

(8) The laws relating to the justifiable use of force as prescribed in chapter 563, RSMo;

(9) A live firing exercise of sufficient duration for each applicant to fire a handgun, from a standing position or its equivalent, a minimum of fifty rounds at a distance of seven yards from a B-27 silhouette target or an equivalent target;

(10) A live fire test administered to the applicant while the instructor was present of twenty rounds from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

3. A qualified firearms safety instructor shall not give a grade of "passing" to an applicant for a concealed carry endorsement who:

(1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or

(2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or

(3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds.

4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry endorsement shall:

(1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;

(2) Maintain all course records on students for a period of no less than four years from course completion date; and

(3) Not have more than forty students in the classroom portion of the course or more than five students per range officer engaged in range firing.

5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any sheriff issuing a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121 if the instructor:

(1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or

(2) Submits a photocopy of a certificate from a firearms safety instructor's course offered by a local, state, or federal governmental agency; or

(3) Submits a photocopy of a certificate from a firearms safety instructor course approved by the department of public safety; or

(4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(5) Is a certified police officer firearms safety instructor.

6. Any firearms safety instructor who knowingly provides any sheriff with false information concerning an applicant's performance on the live fire exercise or test administered to the applicant by the instructor pursuant to subdivision (9) or (10) of subsection 2 of this section shall be guilty of a class C misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dethrow, **House Amendment No. 2** was adopted.

On motion of Representative Munzlinger, **HB 462, as amended**, was ordered perfected and printed.

HCS HB 551, relating to the Line of Duty Compensation Act, was taken up by Representative Dempsey.

Representative Burnett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 551, Page 3, Line 74, by deleting the word "one" and inserting instead the word "two"; and

Further amend on Line 82, by deleting the word "ten" and inserting instead the word "twenty"; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Dempsey, **HCS HB 551** was adopted.

On motion of Representative Dempsey, **HCS HB 551** was ordered perfected and printed.

HB 224, relating to driver's licenses, was taken up by Representative Franz.

HB 224 was laid over.

HCS HB 61, relating to prevailing wages, was taken up by Representative Ruestman.

Representative Ruestman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 61, Page 1, Section 290.220, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"290.220. **1.** It is hereby declared to be the policy of the state of Missouri that a wage of no"; and

Further amend said bill, Page 1, Section 290.220, Line 9, by inserting after all of said line the following:

"2. A state institution of higher education located in any county except a county with a charter form of government may exempt itself from the provisions of this section upon a majority vote of the governing body of such institution. If the state institution of higher education exempts itself from the prevailing wage requirement, the state institution of higher education shall notify the division of labor standard within the department of such exemption."; and

Further amend said title, enacting clause and intersectional references accordingly.

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Robb offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 61, Page 1, Line 4 of said amendment, by adding after all of said line the following:

Further amend said bill, Page 1, Section 290.220, Lines 5 and 6 of said bill, by deleting all of said lines and inserting in lieu thereof the following:

"done on behalf of a school, a school district in any county or in a city not in a county may exempt itself from the provisions of this section upon majority"; and"; and

Further amend said amendment, Page 1 of said amendment, Lines 7 and 8 of said amendment, by deleting all of said lines and inserting in lieu thereof the following:

"2. A state institution of higher education located in any county or a city not within a county may exempt itself from the provisions of this section upon a majority"; and

Further amend said bill, Page 2, Section 290.230, Line 6, by deleting all of said line and inserting in lieu thereof the following:

"county or a city not within a county may exempt itself from the"; and

Further amend said bill, Page 2, Section 290.230, Line 10, by inserting immediately after said line the following:

"2. A state institution of higher education located in any county or a city not in a county may exempt itself from the provisions of this section upon a majority vote of the governing body of such institution. If the state institution of higher education exempts itself from the prevailing wage requirement, the state institution of higher education shall notify the division of labor standard within the department of such exemption."; and

Further amend said bill and page, Line 11, by deleting all of said line and inserting in lieu thereof the following:

"[2] 3. When the hauling of materials or equipment includes some phase of construction other"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 1 to House Amendment No. 1** is drafted as a substitute amendment.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

HCS HB 61, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Matthew Summers.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1691 through House Resolution No. 1726

PERFECTION OF HOUSE BILLS

HCS HB 497, relating to physician assistants, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 497** was adopted.

On motion of Representative Sater, **HCS HB 497** was ordered perfected and printed by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Donnelly	Dougherty	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore

Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hughes	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Young	Zweifel	Mr Speaker

NOES: 006

Dusenberg	Frame	Harris 23	LeVota	Nolte
Skaggs				

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Brown 30	Dixon	Hubbard	Johnson
Kratky	Kraus	Marsh	Portwood	Richard
Yaeger	Zimmerman			

HB 224, relating to driver's licenses, was again taken up by Representative Franz.

On motion of Representative Franz, **HB 224** was ordered perfected and printed.

HCS HB 820, relating to a death penalty execution team, was taken up by Representative Moore.

On motion of Representative Moore, **HCS HB 820** was adopted.

On motion of Representative Moore, **HCS HB 820** was ordered perfected and printed.

HCS HB 104, relating to a tax exemption on certain vehicles, was taken up by Representative Meiners.

On motion of Representative Meiners, **HCS HB 104** was adopted.

On motion of Representative Meiners, **HCS HB 104** was ordered perfected and printed.

HCS HB 181, relating to video instructional materials, was taken up by Representative Sander.

Representative Sander offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 181, Page 2, Section 170.135, Line 18, by inserting after all of said line the following:

"3. If the publisher or manufacturer fails to comply with the requirements of this section, the publisher or manufacturer shall be liable to the entity that purchased the electronic video instructional materials in the amount of three times the amount paid by the purchasing entity to have captions placed on the materials.

4. In order to ensure the effective implementation of subsection 3 of this section, a liability claim may be made on behalf of the purchasing entity by either the individual purchaser; a school, school district, college, or university that employs the individual purchaser; the Missouri department of elementary and secondary education; or the Missouri department of higher education."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richard assumed the Chair.

On motion of Representative Sander, **House Amendment No. 1** was adopted.

On motion of Representative Sander, **HCS HB 181, as amended**, was adopted.

On motion of Representative Sander, **HCS HB 181, as amended**, was ordered perfected and printed.

Speaker Jetton resumed the Chair.

HB 574, relating to law enforcement system records, was taken up by Representative St. Onge.

Representative Jones (89) assumed the Chair.

Representative Burnett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 574, Page 1, Line 6, by adding after the word "notwithstanding" the following "because it is more important to the Missouri General Assembly to inform insurance companies of information that may be of value to them than to follow the law on closed criminal records."; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative St. Onge, **HB 574** was ordered perfected and printed.

HB 554, relating to licensed professional counselors, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **HB 554** was ordered perfected and printed.

HCS HB 891, relating to a credit for hiring disabled workers, was taken up by Representative Kratky.

On motion of Representative Kratky, **HCS HB 891** was adopted.

On motion of Representative Kratky, **HCS HB 891** was ordered perfected and printed.

HB 596, relating to bid bonds for highway projects, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HB 596** was ordered perfected and printed.

HCS HB 555, relating to complaints against professionals, was taken up by Representative Cooper (155).

On motion of Representative Coopper (155), **HCS HB 555** was adopted.

On motion of Representative Coopper (155), **HCS HB 555** was ordered perfected and printed.

HCS HB 457, relating to the Senior Citizens' Homestead Tax Relief Act, was taken up by Representative Sutherland.

Representative Sutherland offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 457, Section 137.106, Page 12, Line 242, by adding an open bracket "[" before and a closed bracket "]" immediately after the words "January first" and inserting after the closed bracket, the words, "**December thirty-first**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 1** was adopted.

Representative Sutherland offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 457, Section 135.030, Page 4, Line 9, by deleting the words, "five hundred"; and

Further amend said bill, Section 135.030, Page 4, Line 9, by inserting after the word, "dollars" the following words, **"if the taxpayer's filing status is single and thirty-two thousand dollars if the taxpayer's filing status is married filing combined"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Witte offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 457, Page 1, Lines 1 and 2, by deleting said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Sutherland, **House Amendment No. 2, as amended**, was adopted.

Representative Fares offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 457, Section 135.030, Page 5, Line 64, by inserting after all of said section, the following:

"135.097. 1. As used in this section, the following terms mean:

(1) **"Disabled"**, the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months;

(2) **"Homestead"**, the dwelling in Missouri owned for twenty or more years by the taxpayer and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. **"Owned"** includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a taxpayer actually in possession if the taxpayer was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the taxpayer actually pays all taxes upon the property. It may include a mobile home;

(3) **"Income"**, Missouri adjusted gross income as defined in section 143.121, RSMo, and increased, where necessary, to reflect the following:

(a) **Social Security, railroad retirement, and veterans payments and benefits;**

(b) **The total amount of all other public and private pensions and annuities;**

(c) **Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;**

- (d) No deduction being allowed for losses not incurred in a trade or business;
- (e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;
- (4) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a taxpayer's homestead in any calendar year. Property taxes shall qualify for the tax credit only if actually paid before the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by a taxpayer, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the taxpayer. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;
- (5) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;
- (6) "Taxpayer", a Missouri resident or the resident's spouse who:
 - (a) Has been a resident of Missouri for twenty years, and has lived in their homestead for at least twenty years. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a taxpayer or spouse who would have otherwise met the requirements for a tax credit but who dies before the last day of the calendar year;
 - (b) Has paid more than ten percent of the taxpayer's total household income in real property tax on the taxpayer's homestead; and
 - (c) Meets any one of the following requirements:
 - a. Has attained the age of sixty-five on or before the last day of the calendar year;
 - b. Is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service; or
 - c. Is disabled, and provides proof of such disability in such form and manner, and at such times, as the director of revenue may require.

If the taxpayers are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit shall only be allowed if claimed on a combined Missouri income tax return reporting their combined incomes and property taxes.

2. For all taxable years beginning on or after January 1, 2008, a taxpayer shall be allowed a tax credit for property taxes accrued in the taxable year for which an income tax return is filed. The tax credit amount shall be equal to fifty percent of the property taxes accrued. The tax credit shall be applied against the taxpayer's income tax liability after all other credits provided by law have been applied. If the amount of the tax credit issued exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall be refunded to the taxpayer. No tax credit granted under this section shall be transferred, sold, or assigned.

3. No tax credit shall be issued to any taxpayer who filed a valid claim under sections 135.010 to 135.030, or section 137.106, RSMo, for the same taxable year.

4. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

5. Under section 23.253, RSMo, of the Missouri Sunset Act:

- (1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) **This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fares, **House Amendment No. 3** was adopted.

On motion of Representative Sutherland, **HCS HB 457, as amended**, was adopted.

On motion of Representative Sutherland, **HCS HB 457, as amended**, was ordered perfected and printed.

HCS HB 227, relating to a tax credit for storm shelters, was taken up by Representative Swinger.

On motion of Representative Swinger, **HCS HB 227** was adopted.

On motion of Representative Swinger, **HCS HB 227** was ordered perfected and printed.

HCS HB 795, relating to local public improvements, was taken up by Representative Flook.

Representative Flook offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 795, Page 4, Section 67.2505, Line 39, by deleting all of said line and inserting in lieu thereof the following:

"7. Upon the filing **and approval** of a petition pursuant to this section, the governing body of any city,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Flook, **House Amendment No. 1** was adopted.

On motion of Representative Flook, **HCS HB 795, as amended**, was adopted.

On motion of Representative Flook, **HCS HB 795, as amended**, was ordered perfected and printed.

HCS HB 184, relating to the Children's Services Protection Act, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HCS HB 184** was adopted.

On motion of Representative Dempsey, **HCS HB 184** was ordered perfected and printed.

HB 915, relating to a tax exemption for veterans' groups, was taken up by Representative Dougherty.

Representative Richard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 915, In the Title, Line 3, by inserting after the word "veteran's" the following:

", service and fraternal"; and

Further amend said bill, Page 1, Section 313.055, Line 10, by inserting after the word "**veteran's**" the following:

", **service and fraternal**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 1** was adopted.

On motion of Representative Dougherty, **HB 915, as amended**, was ordered perfected and printed.

HCS HB 914, relating to licensed professionals, was taken up by Representative Wasson.

Representative Wallace offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 914, Page 4, Section 167.195, Lines 29 through 38, by deleting all of said lines and inserting in lieu thereof the following:

"(1) The commission shall be composed of eight members appointed by the governor; two ophthalmologists determined from a list of recommended ophthalmologists submitted by the Missouri Society of Eye Physicians and Surgeons; two optometrists to be determined from a list of recommended optometrists submitted by the Missouri Optometric Association; one school nurse from a list submitted by the Missouri Association of School Nurses; one representative from the Department of Elementary and Secondary Education; one representative from a list submitted by the Missouri School Board's Association; and one member from a list submitted by the Missouri Association of Elementary School Principals. Each ophthalmologist and optometrist shall serve a one year term as chair of the commission. Members of the commission shall serve without compensation, but may be reimbursed for reasonable and necessary expenses associated with carrying out their duties."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wallace moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Wasson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 914, Page 45, Section 336.020, Line 7, by inserting immediately before the "period" on said line the following:

"or a person licensed as an optometrist in any state to serve as an expert witness in a civil, criminal, or administrative proceeding"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 2** was adopted.

Representative Wasson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 914, Page 33, Section 327.441, Line 55, by inserting immediately after said line the following:

"334.120. 1. There is hereby created and established a board to be known as "The State Board of Registration for the Healing Arts" for the purpose of registering, licensing and supervising all physicians and surgeons, and midwives in this state. The board shall consist of nine members, including one voting public member, to be appointed by the governor by and with the advice and consent of the senate, **at least** five of whom shall be graduates of professional schools [approved and accredited as reputable by the American Medical Association or the Liaison Committee on Medical Education] **accredited by the Liaison Committee on Medical Education or recognized by the Educational Commission for Foreign Medical Graduates**, and **at least** two of whom shall be graduates of professional schools approved and accredited as reputable by the American Osteopathic Association, and all of whom, except the public member, shall be duly licensed and registered as physicians and surgeons pursuant to the laws of this state. Each member must be a citizen of the United States and must have been a resident of this state for a period of at least one year next preceding his or her appointment and shall have been actively engaged in the lawful and ethical practice of the profession of physician and surgeon for at least five years next preceding his or her appointment. Not more than four members shall be affiliated with the same political party. All members shall be appointed for a term of four years. Each member of the board shall receive as compensation an amount set by the board not to exceed fifty dollars for each day devoted to the affairs of the board, and shall be entitled to reimbursement of his or her expenses necessarily incurred in the discharge of his or her official duties. The president of the Missouri State Medical Association, for all medical physician appointments, or the president of the Missouri Association of Osteopathic Physicians and Surgeons, for all osteopathic physician appointments, in office at the time shall, at least ninety days prior to the expiration of the term of the respective board member, other than the public member, or as soon as feasible after the appropriate vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five physicians and surgeons qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri State Medical Association or the Missouri Association of Osteopathic Physicians and Surgeons, as appropriate, shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

2. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 3** was adopted.

Representative Page offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 914, Page 54, Section 337.600(18)(b), Line 92, by adding after "state committee for social workers" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work;"; and

Further amend House Committee Substitute for House Bill No. 914, Page 54, Section 337.600(19)(b), Line 103, by adding after "state committee for social workers" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work;"; and

Further amend House Committee Substitute for House Bill No. 914, Page 54, Section 337.600(20)(b), Line 112, by adding after "state committee for social workers" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work;"; and

Further amend House Committee Substitute for House Bill No. 914, Page 57, Section 337.618(20)(b), Lines 4-5, by deleting the following:

"[, including a minimum of three hours in ethics presented by a social worker with a degree]"; and

Further amend House Committee Substitute for House Bill No. 914, Page 38, Section 337.622.2, Line 7, by deleting the word:

"eleven" and inserting in lieu thereof the word "**ten**"; and

Further amend said section, Line 11, by deleting the words "two licensed" and inserting in lieu thereof the words "**one licensed advanced**"; and

Further amend House Committee Substitute for House Bill No. 914, Page 54, Section 337.600(18)(c), Line 94, by inserting after the word "requirements" the following:

"of sections 337.600 to 337.689, and"; and

Further amend House Committee Substitute for House Bill No. 914, Page 54, Section 337.600(19)(c), Line 105, by inserting after the word "requirements" the following:

"of sections 337.600 to 337.689, and"; and

Further amend House Committee Substitute for House Bill No. 914, Page 63, Section 337.644.1(5), Line 14, by deleting the word "division" and inserting in lieu thereof the word:

"Committee"; and

Further amend House Committee Substitute for House Bill No. 914, Page 66, Section 337.665.1(5), Line 17, by deleting the word “division” and inserting in lieu thereof the word:

"Committee".

On motion of Representative Page, **House Amendment No. 4** was adopted.

On motion of Representative Wasson, **HCS HB 914, as amended**, was adopted.

On motion of Representative Wasson, **HCS HB 914, as amended**, was ordered perfected and printed.

HB 56, relating to a memorial highway, was taken up by Representative Sater.

Representative Faith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 56, Page 1, Section 227.383, Line 7, by inserting after all of said line the following:

"227.384. The portion of State Route M between Old Lemay Ferry Road and Moss Hollow Road in the census designated place with more than six thousand one hundred but fewer than six thousand three hundred inhabitants shall be designated the "Officer Stephen Strehl Memorial Highway". Costs for such designation shall be paid by private donations."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 1** was adopted.

Representative Yates offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 56, Section 227.383, Line 7, by inserting after all of said line the following:

"Section 1. The portion of State Route 7 from the south edge of the city limits of a home rule city with more than forty-eight thousand but fewer than forty-nine thousand inhabitants heading south to the intersection of US Highway 50 shall be designated the "Larry Stewart Secret Santa Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HB 56, as amended, with House Amendment No. 2, pending, was laid over.

THIRD READING OF HOUSE BILLS - CONSENT

HB 41, relating to police department special advisors, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 41** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Deeken	Dempsey	Denison	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Hunter

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Day	Dixon	Harris 23	Hubbard
Marsh	Schneider	Walton	Yaeger	Zimmerman

Representative Jones (89) declared the bill passed.

Speaker Jetton resumed the Chair.

HB 933, relating to driver's licenses for military personnel, was taken up by Representative Grill.

On motion of Representative Grill, **HB 933** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Dixon	Hubbard	Marsh	Schneider
Walton	Wright-Jones	Yaeger	Zimmerman	

Speaker Jetton declared the bill passed.

HB 1014, relating to disabled veteran preference, was taken up by Representative Wright.

On motion of Representative Wright, **HB 1014** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roord	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Dixon	Hubbard	Lembke	Marsh
Schneider	Walton	Wright-Jones	Yaeger	Zimmerman

Speaker Jetton declared the bill passed.

HB 428, relating to the State Fair Escrow Fund, was taken up by Representative Cox.

On motion of Representative Cox, **HB 428** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Dixon	Hubbard	Marsh	Pearce
Schneider	Walton	Wright-Jones	Yaeger	Zimmerman

Speaker Jetton declared the bill passed.

HCS HB 616, relating to county boards of equalization, was taken up by Representative Wood.

On motion of Representative Wood, **HCS HB 616** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 008

Bringer	Flook	Hughes	Salva	Scavuzzo
Talboy	Wallace	Wildberger		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Dixon	Hubbard	Marsh	Schneider
Walton	Wright-Jones	Yaeger	Zimmerman	

Speaker Jetton declared the bill passed.

HB 684, relating to conveyances of property, was taken up by Representative Bruns.

On motion of Representative Bruns, **HB 684** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Hunter	Ice	Johnson
Jones 89	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Nasheed

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Dixon	Hubbard	Jones 117	Marsh
Schneider	Walton	Wright-Jones	Yaeger	Zimmerman

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Hoskins
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 011

Bowman	Burnett	Chappelle-Nadal	Frame	George
Holsman	Hughes	Komo	LeVota	Nasheed
Talboy				

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Dixon	Hubbard	Marsh	Schneider
Walton	Wright-Jones	Yaeger	Zimmerman	

HB 740, relating to a conveyance in Johnson County, was taken up by Representative Pearce.

On motion of Representative Pearce, **HB 740** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 30	Dixon	Fares	Hubbard	Marsh
Schneider	Walton	Wright 159	Wright-Jones	Yaeger
Zimmerman				

Speaker Jetton declared the bill passed.

HB 941, relating to university donor financial records, was taken up by Representative Kingery.

On motion of Representative Kingery, **HB 941** was read the third time and passed by the following vote:

AYES: 125

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Hodges	Hoskins
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Zweifel	Mr Speaker

NOES: 028

Bowman	Bringer	Brown 50	Burnett	Darrough
Daus	Fallert	Frame	George	Harris 110
Holsman	Hughes	Komo	LeVota	Low 39
Meadows	Nasheed	Oxford	Quinn 9	Roorda
Rucker	Schoemehl	Skaggs	Spreng	Talboy
Walsh	Wildberger	Young		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Dixon	Hubbard	Marsh	Schneider
Sutherland	Walton	Wright-Jones	Yaeger	Zimmerman

Speaker Jetton declared the bill passed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1678 - Administration and Accounts

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 49 - Elementary and Secondary Education

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 338 - Fiscal Note (Fiscal Review)

HCS HBs 365, 804 & 805 - Fiscal Review (Fiscal Note)

HCS HB 448 - Fiscal Review (Fiscal Note)

HCS HB 551 - Fiscal Review (Fiscal Note)

HCS HB 820 - Fiscal Review (Fiscal Note)

HCS HB 827 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 82 - Special Committee on General Laws

SCS SB 302 - Special Committee on Urban Issues

COMMITTEE REPORTS

Committee on Budget, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 20**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 952** and **HB 674**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on State Parks and Waterways, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HCS HB 752**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 26**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on rules, to which was referred **HCS HB 98**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on rules, to which was referred **HCS HB 121**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 249**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 252**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 417**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 461**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 478**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 490**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 508**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 709**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 716**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 821**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on rules, to which was referred **HCS HB 995**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1044**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILL

Pursuant to Rule 45(b), the following bill, having remained on the House Consent Calendar for Perfection for five legislative days, was ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 796**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SRB 613**, entitled:

An act to repeal sections 7.240, 8.835, 21.435, 21.770, 28.085, 28.163, 30.900, 31.010, 32.069, 32.117, 32.379, 32.380, 32.382, 32.384, 33.831, 42.160, 44.237, 52.276, 58.755, 72.424, 82.1050, 94.580, 103.081, 105.268, 128.350, 128.352, 128.354, 128.356, 128.358, 128.360, 128.362, 128.364, 128.366, 128.345, 128.346, 135.095, 137.423, 138.236, 140.015, 143.122, 143.171, 143.172, 143.1010, 143.1011, 143.1012, 144.014, 144.030, 144.036, 144.041, 144.048, 144.514, 144.749, 152.032, 160.300, 160.302, 160.304, 160.306, 160.308, 160.310, 160.312, 160.314, 160.316, 160.318, 160.320, 160.322, 160.324, 160.326, 160.328, 160.510, 161.205, 161.655, 169.710, 191.938, 192.255, 197.121, 198.014, 198.540, 205.380, 205.390, 205.400, 205.410, 205.420, 205.430, 205.440, 205.450, 205.900, 208.177, 208.307, 208.574, 210.879, 210.930, 215.050, 253.022, 253.561, 260.037, 260.038, 260.826, 263.263, 277.200, 277.201, 277.202, 277.206, 277.209, 277.212, 277.215, 287.490, 292.040, 292.150, 292.170, 292.260, 292.270, 292.550, 302.295, 302.782, 313.301, 311.178, 313.055, 313.300, 319.022, 319.023, 321.121, 339.860, 351.025, 354.065, 375.065, 375.700, 376.530, 376.550, 376.1399, 382.410, 388.650, 391.010, 391.020, 391.030, 391.040, 391.050, 391.060, 391.070, 391.080, 391.090, 391.100, 391.110, 391.120, 391.130, 391.140, 391.150, 391.160, 391.170, 391.180, 391.190, 391.230, 391.240, 391.250, 391.260, 400.9-629, 415.430, 417.066, 442.050, 447.721, 454.808, 454.997, 476.016, 493.050, 516.060, 516.065, 537.040, 600.094, 620.528, 620.1310, 632.484, 643.360, 644.102, and 650.216, RSMo, and to enact in lieu thereof twenty-two new sections for the sole purpose of repealing expired, sunset, terminated, and ineffective provisions of law.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, April 4, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 5, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HJR 26, SB 79

APPROPRIATIONS - EDUCATION

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 3.

Select programs from the Department of Elementary and Secondary Education.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 7.

Al Harper, successful owner and operator of the Durango to Silverton and Great Smokey Mountain railroads, will discuss his successful model for freight and tourism and how they may apply to Missouri.

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 4.

Executive session only.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 4, 2007, Hearing Room 6 upon afternoon recess.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1193, SB 270, SB 332

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 4, 2007, Hearing Room 5 upon afternoon recess.

Executive session may follow.

Public hearing to be held on: HCR 49

FISCAL REVIEW

Thursday, April 5, 2007, 9:00 a.m. House Chamber south gallery.

All bills referred to Fiscal Review will be considered.

Public hearings to be held on: HCS HB 827, HCS HB 448, HCS HBs 365, 804 & 805

INSURANCE POLICY

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 998, SCS SB 197, SS SCS SB 215, SB 325

JOINT COMMITTEE ON EDUCATION

Thursday, April 5, 2007, 9:00 a.m. Representative Muschany's Office, Room 111.

Joint Committee on Education - Personnel.

Final draft of job description.

Possible posting venues.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 12, 2007, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, April 5, 2007, 8:30 a.m. Hearing Room 2.

Executive session may follow. AMENDED

Public hearings to be held on: HJR 6, HCS HB 1000, HCR 33, HCS HB 399, HCS#2 HB 85, HCS#2 HB 752, HCS HBs 952 & 674, HCS SB 218, SB 407, HCS SB 416, HCS SCS SB 272, HCS SCS SB 308

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 25, SB 84, SCS SB 46

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 762, SB 257, SB 352

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 5, 2007, 9:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: SCS SBs 62 & 41, SS SCS SBs 255, 249 & 279

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 3.

Working session on Medicaid reform.

This session will focus on Medicaid for children and parents. AMENDED

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 5, 2007, 8:00 a.m. Hearing Room 7.

Executive session will follow.

Public hearings to be held on: HB 324, HB 978, HB 672, HB 208, HB 835, SCS SB 16

Executive session will be held on: SCS SB 16

SPECIAL COMMITTEE ON RETIREMENT

Thursday, April 5, 2007, 8:00 a.m. Hearing Room 1.

Executive session. AMENDED

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, April 4, 2007, 5:00 p.m. Hearing Room 1.

Committee will meet at 5:00 p.m. or upon afternoon recess.

Executive session may follow.

Public hearing to be held on: HB 769

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, April 5, 2007, 8:30 a.m. Hearing Room 4.

Executive session will follow. Reconsider HB 461.

Public hearing to be held on: SCS SB 198

Executive session will be held on: SCS SB 198

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, April 4, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 623, SCS SB 64, SB 236

SPECIAL COMMITTEE ON TAX REFORM

Thursday, April 5, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SB 30

SPECIAL COMMITTEE ON TOURISM

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SB 166, SB 376

SPECIAL COMMITTEE ON UTILITIES

Wednesday, April 4, 2007, 12:00 p.m. Hearing Room 5.

Executive session.

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 4, 2007, 1:00 p.m. Hearing Room 7.

Executive session.

TRANSPORTATION

Wednesday, April 4, 2007, 8:00 a.m. House Lounge.

Executive session may follow.

Work on Omnibus Bill.

Public hearings to be held on: HB 1028, HB 1029, HB 1063,

HB 1181, SB 102, SCS SB 103, SB 543

WAYS AND MEANS

Thursday, April 5, 2007, 9:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 160, HB 385, HB 1011

HOUSE CALENDAR

FIFTY-FIRST DAY, WEDNESDAY, APRIL 4, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden
- 3 HCS HJR 9 - Dethrow

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90 - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HB 213 - Cunningham (86)
- 6 HCS HB 466 - Schaaf
- 7 HCS HB 771 - Bearden
- 8 HCS HB 180, 396 & 615 - Day
- 9 HCS HB 238 - Yates
- 10 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 11 HCS HB 788 - Cooper (155)
- 12 HCS HB 218 - Stevenson
- 13 HB 42 - Portwood
- 14 HB 56, as amended, HA 2, pending - Sater
- 15 HCS HB 811 - Schad
- 16 HB 412 - Emery
- 17 HB 215 - Stevenson
- 18 HB 432 - Schaaf
- 19 HCS HB 699 - Tilley
- 20 HCS HB 768 - St. Onge
- 21 HCS HB 122 - Nance
- 22 HCS HB 159 - Bivins
- 23 HCS HB 845 - Dixon
- 24 HCS HB 487 - Cooper (120)
- 25 HCS HB 892 - Kratky
- 26 HB 916 - Dougherty
- 27 HCS HB 945 - Parson
- 28 HCS HB 298 - Cooper (120)

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- 29 HCS HB 493 - Baker (123)
- 30 HCS HB 512 - Pratt
- 31 HCS HB 261 - Yates
- 32 HCS HB 619 & 118 - Aull
- 33 HB 746 - Franz
- 34 HB 791 - Wilson (130)
- 35 HB 882 - Page
- 36 HCS HB 1002 - Fisher
- 37 HCS HB 124 - Nance
- 38 HB 134 - Guest
- 39 HCS HB 329 - Cunningham (145)
- 40 HCS HB 343 - Munzlinger
- 41 HCS HB 654 & 938 - Stream
- 42 HCS HB 741 - Pearce
- 43 HCS HB 765 - Dempsey
- 44 HCS HB 807 & 690 - Baker (123)
- 45 HCS HB 818 - Ervin
- 46 HCS HB 98 - Parson
- 47 HCS HB 121 - Nance
- 48 HB 249 - Moore
- 49 HCS HB 252 - Robb
- 50 HCS HB 417 - Cunningham (86)
- 51 HCS HB 478 - Dethrow
- 52 HCS HB 490 - Baker (123)
- 53 HCS HB 508 - Schaaf
- 54 HCS HB 709 - Dethrow
- 55 HB 821 - Onder
- 56 HCS HB 995 - Hobbs

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 546 - Schaaf
- 2 HCS#2 HB 28 - Cunningham (86)

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 744 - St. Onge
- 2 HB 987 - Wasson

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 364 - Ervin
- 2 HCS HB 131 - Cooper (120)
- 3 HCS HB 851 - Onder
- 4 HCS HB 165 - Cooper (120)

- 5 HB 527 - Cooper (120)
- 6 HB 579 - Dempsey
- 7 HCS HB 431 - Pratt
- 8 HCS HB 894 - Hoskins
- 9 HCS HB 245 - St. Onge
- 10 HB 233 - Tilley
- 11 HB 482 - Walton
- 12 HCS HB 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 13 HCS HB 448, (Fiscal Review 4-03-07) - Spreng
- 14 HCS HB 182 - Bruns
- 15 HCS HB 338, (Fiscal Review 4-03-07) - Tilley
- 16 HCS HB 827, (Fiscal Review 4-03-07) - Muschany

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 267 - Jones (117)
- 2 HB 265 - Cunningham (86)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 910 - Fares
- 2 HCS HB 796 - Dethrow

SENATE BILL FOR SECOND READING

SRB 613

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCR 16, (2-21-07, Pages 435-436) - Deeken
- 3 HCR 17, (2-21-07, Page 437) - Fisher
- 4 HCR 30, (2-28-07, Page 508) - Pratt
- 5 HCR 8, (2-21-07, Pages 437-438) - Loehner
- 6 HCR 11, (3-07-07, Pages 583-584) - Ervin
- 7 HCR 24, (2-28-07, Pages 505-506) - Wilson (130)
- 8 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-FIRST DAY, WEDNESDAY, APRIL 4, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Oh, how we love Your teachings, Heavenly Father! They are in our thoughts all day long.

From Your guiding principles we gain understanding. That is why we are persuaded from every false way.

Lord, we recognize we can not fulfill our responsibilities on our own: they are sometimes weighty and burdensome. But we are reminded of this truth: You are able to do exceeding abundantly above all that we ask or think. Your strength is made perfect in our frailties.

We ask that You fill every waking moment of our lives with Your insights and the awareness of Your continual presence in our lives.

Now may the Lord of peace continually grant us peace in every circumstance. The grace of the Lord Jesus Christ be with us always. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Levi Manley, Michael Fultz, Taylor Prince, Wyatt Fleming, Hope Wilson, Emily Cain, Evan Hester, Zach Allen, Scott Harris, Taylor Cox, Meaghan McGuire, Mason McMillin, Jessica Oliphant, Patience Chrisler and Brad Kramer.

The Journal of the fiftieth day was approved as printed.

SPECIAL RECOGNITION

Frankie Walker of Bolivar, Missouri was introduced by Representative Parson and recognized as an Outstanding Missourian.

The Raymore-Peculiar Panthers Football Team was introduced by Representatives Baker (123) and Scavuzzo and recognized for attaining the 2006 Class 5 State Football Championship.

The St. Joseph Benton Lady Cardinals Basketball Team was introduced by Representative Rucker and recognized for attaining the 2007 Class 4 State Basketball Championship.

SECOND READING OF SENATE BILL

SRB 613 was read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 915 - Fiscal Review (Fiscal Note)

HB 1287 - Special Committee on General Laws

THIRD READING OF HOUSE BILL - CONSENT

HCS HB 796, relating to disabled license plates and placards, was taken up by Representative Dethrow.

On motion of Representative Dethrow, **HCS HB 796** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Bearden	Brown 30	Bruns	Dixon
Grill	Holsman	Hunter	Liese	Marsh
Meadows	Salva	Walton	Yaeger	

Speaker Jetton declared the bill passed.

HOUSE CONCURRENT RESOLUTIONS

HCR 16, relating to an audit of the State Auditor's office, was taken up by Representative Deeken.

On motion of Representative Deeken, **HCR 16** was adopted.

HCR 17, relating to the Missouri I-49 Coalition, was taken up by Representative Fisher.

On motion of Representative Fisher, **HCR 17** was adopted.

HCR 30, relating to animal health research, was taken up by Representative Pratt.

Representative Pratt submitted the following technical correction to **HCR 30**:

"WHEREAS, Missouri is [7th] **2nd** and Kansas is [2nd] **7th** in cattle and calf inventory in the United States; and".

Representative Skaggs raised a point of order that the submitted correction is not a true technical correction.

The Chair ruled the point of order not well taken.

On motion of Representative Pratt, **HCR 30** was adopted.

HCR 8, relating to the installation of a ferryboat in the City of Chamois, was taken up by Representative Loehner.

Representative Icet assumed the Chair.

On motion of Representative Loehner, **HCR 8** was adopted.

HCR 11, relating to the Taiwan-United States Trade Agreement, was taken up by Representative Ervin.

On motion of Representative Ervin, **HCR 11** was adopted.

HCR 24, relating to student's assessment results, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HCR 24** was adopted.

PERFECTION OF HOUSE BILL - INFORMAL

HCS#2 HB 28, relating to carriers of household goods, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS#2 HB 28** was adopted.

On motion of Representative Cunningham (86), **HCS#2 HB 28** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HB 744, relating to transportation, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HB 744** was ordered perfected and printed by the following vote:

AYES: 108

Avery	Baker 123	Bivins	Brandom	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Funderburk	Grisamore	Guest	Harris 23
Hobbs	Hodges	Hoskins	Hubbard	Hunter
Iceet	Jones 89	Jones 117	Kingery	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Loehner	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Nance	Nasheed	Nolte
Onder	Page	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zweifel	Mr Speaker		

NOES: 045

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Cooper 158	Corcoran	Curls
Darrough	Daus	Dethrow	Donnelly	Frame
Franz	George	Harris 110	Haywood	Holsman

Hughes	Johnson	Komo	LeVota	Lipke
Low 39	Lowe 44	Muschany	Nieves	Norr
Oxford	Portwood	Roorda	Salva	Sander
Schoemehl	Skaggs	Spreng	Stevenson	Talboy
Villa	Vogt	Walsh	Whorton	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 010

Bearden	Brown 30	Bruns	Dixon	Grill
Kelly	Marsh	Meadows	Walton	Yaeger

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Icet.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Kelsi James.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 227 - Fiscal Review (Fiscal Note)
HCS HB 457 - Fiscal Review (Fiscal Note)
HCS HB 891 - Fiscal Review (Fiscal Note)
HCS HB 892 - Fiscal Review (Fiscal Note)
HCS HB 914 - Fiscal Review (Fiscal Note)

PERFECTION OF HOUSE BILLS

HCS HB 298, relating to the Missouri Blasting Safety Act, was taken up by Representative Cooper (120).

Representative Dougherty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 298, Page 1, Section 319.300, Line 5, by deleting the number "**319.345**" and inserting in lieu thereof the following:

"**319.306**"; and

Further amend House Committee Substitute for House Bill No. 298, Page 16, Section 319.321, Lines 17-20, by deleting all of said lines and inserting in lieu thereof the following:

"(7) **Any person performing duties using explosives within an industrial furnace**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 1** was adopted.

On motion of Representative Cooper (120), **HCS HB 298, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS HB 298, as amended**, was ordered perfected and printed.

HCS HB 892, relating to a medal of freedom, was taken up by Representative Kratky.

On motion of Representative Kratky, **HCS HB 892** was adopted.

On motion of Representative Kratky, **HCS HB 892** was ordered perfected and printed.

HB 56, as amended, with House Amendment No. 2, pending, relating to a memorial highway, was taken up by Representative Yates.

On motion of Representative Yates, **House Amendment No. 2** was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Donnelly	Dougherty
Dusenberg	El-Amin	Ervin	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 008

Daus	Emery	Hunter	Kuessner	Parson
Schad	Spreng	Whorton		

PRESENT: 004

Faith	Lowe 44	Oxford	St. Onge
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ABSENT WITH LEAVE: 007

Bearden	Brown 30	Bruns	Dixon	Grill
Muschany	Yaeger			

Representative Silvey offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 56, Page 1, Section 227.383, Line 7, by inserting immediately after said line the following:

"227.392. The new bridge carrying Interstate 29/35 over the Missouri River in the home rule city with more than four hundred thousand inhabitants and located in more than one county shall be designated the "Christopher S. Bond Bridge". Costs for such designation shall be paid by private donation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bowman offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Bill No. 56, Page 1, Section 227.383, Line 7, by inserting after all of said line the following:

"227.390. The portion of Interstate 44 from the city limits of the city not within a county east to the intersection of Kingshighway shall be designated the "Officer Michael Barwick Memorial Highway". Costs for such designation shall be paid by private donation."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Bearden assumed the Chair.

On motion of Representative Bowman, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Silvey, **House Amendment No. 3, as amended**, was adopted.

Representative Roorda offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Bill No. 56, Page 1, Section 227.383, Line 7, by inserting after all of said line the following:

"227.385. The portion of U.S. Highway 61/67 between Wolf Hollow Road and State Route M in the census designated place with more than six thousand one hundred but fewer than six thousand three hundred inhabitants shall be designated the "1922 Sulphur Springs Rail Disaster Memorial Highway". Costs for such designation shall be paid by private donation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fallert offered **House Amendment No. 1 to House Amendment No. 4.**

House Amendment No. 1

to

House Amendment No. 4

AMEND House Amendment No. 4 to House Bill No. 56, Page 1, Line 6, by inserting after all of said line the following:

"227.388. The portion of highway 110 from U.S. highway 67 to highway 21 within the county of the first classification with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants shall be designated the "DeSoto Railroad Employees Memorial Highway". Costs for such designation shall be paid by private donations."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fallert, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Roorda, **House Amendment No. 4, as amended**, was adopted.

On motion of Representative Sater, **HB 56, as amended**, was ordered perfected and printed.

HB 42, relating to the St. Louis Police Commissioners Board, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 42** was ordered perfected and printed.

HCS HB 159, relating to dam and reservoir safety, was taken up by Representative Bivins.

Representative Bivins offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 159, Section 236.400, Page 4, Line 85, by inserting after the first use of the word "**drinking**" on said line the word "**water**"; and

Further amend said Section 236.400, Page 5, Line 119, by enclosing in brackets on said line the word "of" and inserting after that word the word "**or**"; and

Further amend said bill, Section 236.415, Page 6, Line 40, by inserting after all of said line the following:

"Inspection fees and construction permit application renewal fees will be due to the department within ninety days of receipt of an invoice, but no later than the thirtieth of June of each year. The state treasurer shall deposit all fees related to dam inspection and construction permits in the state treasury and moneys received by gifts, bequests, or contributions, to the credit of the Dam & Reservoir Fee subaccount in the Natural Resources Protection Fund established by section 640.220, RSMo. Moneys in the subaccount shall, subject to appropriation, be expended for the administration and enforcement of sections 236.400 to 236.500 by the department of natural resources. Any balance in the subaccount at the end of the biennium shall remain in the fund and shall not be subject to the provisions of section 33.080, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kuessner offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 159, Page 2, Section 236.400, Line 21, by deleting "twenty-five" and inserting in lieu thereof the word "thirty-five"; and

Further amend said bill and section, by inserting after the first use of the word "**drinking**" on said line the word "**water**"; and

Further amend said Section 236.400, Page 5, Line 119, by enclosing in brackets on said line the word "of" and inserting after that word the word "**or**"; and

Further amend said bill, Section 236.415, Page 6, Line 40, by inserting after all of said line the following:

"Inspection fees and construction permit application renewal fees will be due to the department within ninety days of receipt of an invoice, but no later than the thirtieth of June of each year. The state treasurer shall deposit all fees related to dam inspection and construction permits in the state treasury and moneys received by gifts, bequests, or contributions, to the credit of the Dam & Reservoir Fee subaccount in the Natural Resources Protection Fund established by section 640.220, RSMo. Moneys in the subaccount shall, subject to appropriation, be expended for the administration and enforcement of sections 236.400 to 236.500 by the department of natural resources. Any balance in the subaccount at the end of the biennium shall remain in the fund and shall not be subject to the provisions of section 33.080, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Liese offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill No. 159, by inserting after all of said amendment the following:

"Notwithstanding any other provision of law, the Taum Sauk dam shall be overseen twenty-four hours a day by an operator who shall take all appropriate measures to monitor the dam and its pumps."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Liese, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Kuessner, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 111

Aull	Baker 25	Baker 123	Bland	Bowman
Brandom	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 158	Corcoran	Curls	Darrough
Daus	Day	Denison	Dethrow	Donnelly
Dougherty	El-Amin	Ervin	Faith	Fallert
Frame	Franz	Funderburk	George	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Jones 117
Kelly	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	Meadows
Meiners	Munzlinger	Nance	Nasheed	Nieves
Norr	Page	Pollock	Pratt	Quinn 7
Quinn 9	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Scharnhorst	Schieffer	Schneider	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 150
Spreng	Storch	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Yates	Young	Zimmerman
Zweifel				

NOES: 047

Avery	Bearden	Bivins	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Deeken	Dempsey	Dusenberg	Emery	Fares
Fisher	Flook	Grisamore	Haywood	Hunter
Icet	Jones 89	Kingery	Lembke	McGhee
Moore	Muschany	Nolte	Onder	Oxford
Parson	Pearce	Portwood	Richard	Schaaf
Schad	Schlottach	Schoeller	Smith 14	Stevenson
St. Onge	Stream	Tilley	Wasson	Whorton
Wright 159	Mr Speaker			

PRESENT: 001

Lowe 44

ABSENT WITH LEAVE: 004

Brown 30

Dixon

Grill

Yaeger

On motion of Representative Bivins, **HCS HB 159, as amended**, was adopted.

On motion of Representative Bivins, **HCS HB 159, as amended**, was ordered perfected and printed.

HCS HBs 619 & 118, relating to the civil air patrol, was taken up by Representative Aull.

Speaker Jetton resumed the Chair.

On motion of Representative Aull, **HCS HBs 619 & 118** was adopted.

On motion of Representative Aull, **HCS HBs 619 & 118** was ordered perfected and printed.

HB 791, relating to health carrier claims information, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HB 791** was ordered perfected and printed.

HCS HB 741, relating to the Missouri Economic Development Code, was taken up by Representative Pearce.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 741, Section 99.1130, Page 20, Line 15, by inserting after all of said line the following:

"251.600. Sections 251.600 to 251.630 shall be known and may be cited as the "Regional Economic Development District Law".

251.603. As used in sections 251.600 to 251.630, the following terms shall mean:

(1) "Baseline year", the calendar year prior to the effective date of a resolution by the regional economic development district board approving a regional economic development project; provided, however, if economic activity taxes from businesses other than businesses locating in the regional economic development project area decrease in the regional economic development project area in the year following the year in which the resolution approving a regional economic development project is approved by a regional economic development district board, the baseline year may, at the option of the regional economic development district board approving the regional economic development project, be the year following the year of the adoption of the resolution approving the regional economic development project;

(2) "Board", a regional economic development district board created under the provisions of section 251.605;

(3) "Collecting officer", the officer of the municipality, county, or other taxing jurisdiction responsible for receiving and processing payments in lieu of taxes and economic activity taxes and the officer of the

municipality, county, or other taxing jurisdiction responsible for receiving and processing local sales tax revenues collected by the director of revenue on behalf of such municipality, county, or other taxing jurisdiction;

(4) "County", any county of the state of Missouri and any city not within a county;

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality, county, or other taxing districts, and which are generated by economic activities within each regional economic development project area, which exceed the amount of such taxes generated by economic activities within such regional economic development project area in the baseline year; but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees, special assessments, and any taxes imposed by the municipality, county, or other taxing district after the effective date of a resolution by a regional economic development district board approving a regional economic development project;

(6) "Gambling establishment", an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo;

(7) "Governing body", a legislative body or other authority governing a city, county, or a city not within a county;

(8) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a regional economic development district, municipality, county, or commission, or other public entity authorized to issue such obligations under the regional economic development district law to carry out a regional economic development project or to refund outstanding obligations;

(9) "Payment in lieu of taxes", those revenues from real property in each regional economic development project area, which taxing districts would have received had the regional economic development district not adopted a regional economic development plan and which would result from levies made after the effective date of a resolution of the board approving a regional economic development project during the time the current equalized value of real property in such regional economic development project area exceeds the total equalized value of real property in such regional economic development project area during the baseline year until incremental tax financing for such regional economic development project area expires or is terminated under the provisions of the regional economic development district law;

(10) "Regional economic development area", an area designated by a regional economic development district board which shall have the following characteristics:

(a) It includes only those parcels of real property directly and substantially benefited by the proposed regional economic development plan;

(b) It will be improved by the regional economic development project;

(c) It is contiguous;

(d) It is not included in any other redevelopment plan or using any other tax increment financing program; and

(e) The board has declared development of the area is not likely to occur without benefit of the proposed regional economic development plan;

(11) "Regional economic development district", a district formed by agreement of two or more county or city governing bodies for the purpose of the economic development of such district, the boundaries of which may encompass all or any part of one or more entire counties and all or any part of one or more entire cities;

(12) "Regional economic development plan", the comprehensive program of a regional economic development district to improve a regional economic development area, thereby enhancing the tax bases of the taxing districts which extend into the regional economic development area, through the reimbursement, payment, or other financing of regional economic development project costs in accordance with the regional economic development district law. The regional economic development plan shall conform to the requirements of section 251.621;

(13) "Regional economic development project", any regional economic development project within a regional economic development area which constitutes a major initiative in furtherance of the objectives of the regional economic development plan, and any such regional economic development project shall include a legal description of the area selected for such regional economic development project;

(14) "Regional economic development project area", the area located within a regional economic development area selected for a regional economic development project;

(15) "Regional economic development project costs", costs to the regional economic development plan or a regional economic development project, as applicable, which are expended on public property, buildings, or rights-of-ways for public purposes to provide infrastructure or support for a regional economic development project. Such costs shall only be allowed as an initial expense which, to be recoverable, shall be included in the costs of a regional economic development plan or regional economic development project, including any amendments thereto adopted by the board of the regional economic development district. Such infrastructure costs include, but are not limited to, the following:

- (a) Costs of studies, appraisals, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning, or special services;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public buildings and fixtures;
- (e) Costs of construction of public works or improvements;
- (f) Financing costs, including, but not limited to, all necessary expenses related to the issuance of obligations issued to finance all or any portion of the infrastructure costs of one or more regional economic development projects, and which may include capitalized interest on any such obligations and reasonable reserves related to any such obligations;
- (g) All or a portion of a taxing district's capital costs resulting from any regional economic development project necessarily incurred or to be incurred in furtherance of the objectives of the regional economic development plan, to the extent the board by written agreement accepts and approves such infrastructure costs; and

(h) Payments to taxing districts on a pro rata basis to partially reimburse taxes diverted by approval of a regional economic development project as approved by the board. In addition, any revenues of the regional economic development district may be expended on or used to reimburse any reasonable or necessary costs incurred or estimated to be incurred in furtherance of a regional economic development plan or a regional economic development project;

(16) "Resolution", a resolution enacted by the regional economic development district board;

(17) "Special allocation fund", the fund of the regional economic development district required to be established under section 251.618 which special allocation fund shall contain at least three separate segregated accounts into which payments in lieu of taxes are deposited in one account, economic activity taxes are deposited in a second account, and other revenues, if any, received by the regional economic development district for the purpose of implementing a regional economic development plan or a regional economic development project are deposited in a third account;

(18) "Taxing district's capital costs", those costs of taxing districts for capital improvements that are found by the regional economic development district to be necessary and to directly result from a regional economic development project; and

(19) "Taxing districts", any political subdivision of this state having the power to levy taxes if the future tax revenues of such district would be affected by the establishment of a regional economic development project.

251.605. 1. A regional economic development district may be established by two or more governing bodies in order to plan, formulate, develop, promote, fund, conduct or cause to be conducted, programs to encourage the economic development of the district. The governing bodies may establish such districts by enactment of identical ordinances or by mutual agreement of the governing bodies.

2. The qualifications, terms, and number of members of the regional economic development district board for each district shall be determined by the enacting ordinances or the mutual agreement of the governing bodies, except as provided in this subsection. Each governing body located in the regional economic development district shall have equal representation on the board. The chief executive officer of a county in the regional economic development district or mayor of a city in the regional economic development district shall appoint one resident each of such county or city to be on the board, and such officers shall jointly appoint one additional member to the board. The board shall select a chairman, treasurer, and any other officers it deems necessary to conduct its business, and shall meet in open session at a time and place designated by the chairman in order to make policy and administer the activities of the district.

3. The regional economic development district shall be a public governmental body for the purposes of section 610.010, RSMo, and shall comply with the provisions of chapter 610, RSMo.

251.610. The ordinances or mutual agreements which establish the district shall specify the powers of the board. The powers of the board shall not include the power of eminent domain. The powers of the board may include, but shall not be limited to, the following:

- (1) Adoption of bylaws, rules and regulations for the conduct of its business;
- (2) Maintenance of a principal office;
- (3) The ability to sue and be sued;
- (4) The creation of a regional economic development plan for a regional economic development district;
- (5) The making and executing of leases, contracts, and other instruments necessary to exercise its powers;
- (6) Contracting with cities and counties for services, and with firms, corporations, persons, and governmental agencies in the necessary performance of its duties;
- (7) The employment of personnel;
- (8) Application for and acceptance of local and federal grants and appropriations;
- (9) Performance of site improvements within the regional economic development area;
- (10) Entering into lease or lease-purchase agreements for any real or personal property necessary or convenient for the purposes of the regional economic development district;
- (11) Borrowing money for regional economic development district purposes at such rates of interest as the district may determine;
- (12) Issuance of bonds, notes, and other obligations, which may be secured by mortgage, pledge, assignment, or deed of trust of any or all of the property and income of the regional economic development district, subject to any restrictions provided in the regional economic development district law; except that the district shall not mortgage, pledge, or give a deed of trust on any real property or interests which it acquired from the state of Missouri or any agency or political subdivision thereof without the written consent of the state, agency or political subdivision from which it obtained the property;
- (13) Submission of a regional economic development sales tax to district voters as provided in section 251.615; and
- (14) Adoption of incremental tax financing as provided in section 251.618.

251.615. 1. Any city or county that has agreed to form a regional economic development district created under the regional economic development district law which consists of all of one or more entire counties, all of one or more entire cities, or all of one or more entire counties and one or more entire cities which are totally outside the boundaries of those counties, may impose, by resolution of the governing body of the city or county, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144, RSMo, for the benefit of the regional economic development district. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any such city or county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525, RSMo. The resolution imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county, or state general, primary, or special election a proposal to authorize the city or county to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the city or county of (insert city or county name) impose a sales tax at the rate of (insert amount) for economic development purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the city or county shall have no power to impose the sales tax authorized by this section unless and until the proposal is resubmitted under this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county for the benefit of a regional economic development district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Economic Development District Sales Tax Trust Fund".

4. The moneys in the regional economic development district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county imposing a sales tax under this section, and the records shall be open to the inspection of the board of the district, the governing body of the city or county, and the public.

5. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be distributed to the treasurer of the governing body of the city or county which shall deposit all such funds for the benefit of the district. All expenditures of funds arising from the regional economic development district sales tax trust fund shall be in accordance with the regional economic development district law.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city or county.

7. If any city or county abolishes the tax, the governing body of the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

8. Except as modified in and by this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

9. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the city or county in accordance with applicable laws relating to the investment of other city or county funds.

10. The board shall consider regional economic development plans, regional economic development projects, or designations of a regional economic development district and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed regional economic development plans, regional economic development projects, or designations of a regional economic development district, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make the final determination on use and expenditure of any funds received from the tax imposed under this section.

11. Notwithstanding any other provision of law to the contrary, the regional economic development district sales tax imposed under this section when imposed within a special taxing district, including, but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless approved by the regional economic development district board established under the regional economic development district law and the governing body of the city or county imposing the tax.

12. The board of the district shall make a report at least annually on the use of the funds provided under this section and on the progress of any plan, project, or area designation adopted under this section and shall make such report available to the public and the governing body of the city or county imposing the tax.

13. (1) No city or county imposing a sales tax under this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued to finance any project or projects.

(2) Whenever the governing body of any city or county in which a regional economic development district sales tax has been imposed in the manner provided by this section receives a petition, signed by ten

percent of the qualified voters of such city or county calling for an election to repeal such regional economic development district sales tax, the governing body shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed, or revenue bonds, notes, or other obligations which it has issued to finance any project or projects, submit to the voters of such city or county a proposal to repeal the regional economic development district sales tax imposed under this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the regional economic development district sales tax, then the resolution imposing the regional economic development district sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the regional economic development district sales tax, then the resolution imposing the regional economic development district sales tax, along with any amendments thereto, shall remain in effect.

14. If any provision of the regional economic development district law or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of the regional economic development district law which can be given effect without the invalid provision or application, and to this end the provisions of the regional economic development district law are declared severable.

251.618. 1. A regional economic development district board, after adopting a regional economic development plan, may adopt incremental tax financing as set forth in this section for the purposes of the district by passing a resolution, however, incremental tax financing shall not be available for any retail projects. Upon the adoption of the first of any such resolutions, the treasurer of the board shall establish a special allocation fund for the regional economic development district.

2. Immediately upon the adoption of a resolution implementing incremental tax financing under subsection 1 of this section, the county assessor shall determine the total equalized assessed value of all taxable real property within such regional economic development district by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract, or parcel of real property within such regional economic development project area as of the date of the adoption of such resolution and shall provide to the treasurer of the board written certification of such amount as the total initial equalized assessed value of the taxable real property within such regional economic development district.

3. In each of the twenty-five calendar years following the adoption of a resolution adopting incremental tax financing for a regional economic development district under this section unless and until such incremental tax financing for such district is terminated by resolution of the regional economic development district board, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such regional economic development project area by taxing districts at the tax rates determined in the manner provided in section 251.627 shall be divided as follows:

(1) That portion of taxes, penalties, and interest levied upon each taxable lot, block, tract, or parcel of real property in such regional economic development project area which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in such regional economic development project area as certified by the county assessor in accordance with subsection 2 of this section plus an annual tax base adjustment equal to the percentage change in the general price level as measured by the consumers price index for all urban consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor, shall be allocated to and, when collected, shall be paid by the collecting authority to the respective affected taxing districts in the manner required by law in the absence of the adoption of incremental tax financing. For the purpose of determining the percentage change in the general price level, the treasurer of the regional economic development district board shall determine the consumer price index as defined herein for the preceding calendar year over the consumer price index for the calendar year immediately prior thereto;

(2) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the regional economic development project area and any applicable penalty and interest over and above the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in such regional economic development project area as certified by the county assessor and as adjusted by the annual tax base adjustment as detailed in this section shall be allocated to and, when collected, shall be paid by the collecting officer of the municipality or county to the treasurer of the regional economic development district who shall deposit such payment in lieu of taxes into a separate segregated account for payments in lieu of taxes within the special allocation fund. Payments in lieu of taxes which are due and owing shall constitute a lien against the real property from which such payments in lieu of taxes are derived and shall be collected in the same manner as real property taxes, including the assessment of penalties and interest

where applicable. The lien of payments in lieu of taxes may be foreclosed in the same manner as the lien of real property taxes. No part of the current equalized assessed valuation of each taxable lot, block, tract, or parcel of property in any such regional economic development project area attributable to any increase above the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in such regional economic development project area as certified by the county assessor and as adjusted by the annual tax base adjustment as detailed in this section shall be used in calculating the general state school aid formula provided for in section 163.031, RSMo, until incremental tax financing for such regional economic development project area expires or is terminated in accordance with the regional economic development district law;

(3) For purposes of this section, levies upon taxable real property in such regional economic development area by taxing districts shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, the merchants' and manufacturers' inventory replacement tax levied under the authority of article X, subsection 2 of section 6 of the Missouri Constitution, the desegregation sales tax, or the conservation taxes.

4. In each of the twenty-five calendar years following the adoption of a resolution adopting incremental tax financing for a regional economic development project area under this section, unless and until incremental tax financing for such regional economic development project area is terminated in accordance with the regional economic development district law, fifty percent of the economic activity taxes from such regional economic development project area shall be allocated to and paid by the collecting officer of any such economic activity tax to the treasurer of the regional economic development district, who shall deposit such funds in a separate segregated account for economic activity taxes within the special allocation fund.

251.621. 1. A regional economic development plan shall set forth in writing a general description of the program to be undertaken to accomplish the regional economic development projects and related objectives and shall include, but need not be limited to:

(1) The name, street and mailing address, and phone number of the chairman of the regional economic development district board;

(2) The street address or other description of the location of the development site;

(3) The estimated regional economic development project costs;

(4) The anticipated sources of funds to pay such regional economic development project costs;

(5) Evidence of the commitments to finance such regional economic development project costs;

(6) The anticipated type and term of the sources of funds to pay such regional economic development project costs;

(7) The anticipated type and terms of the obligations to be issued;

(8) The most recent equalized assessed valuation of the property within the regional economic development project area;

(9) An estimate as to the equalized assessed valuation after the regional economic development project area is developed in accordance with a regional economic development plan;

(10) The general land uses to apply in the regional economic development area;

(11) A list of community and economic benefits to result from the regional economic development project;

(12) A list of all development subsidies that any business benefiting from public expenditures in the regional economic development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(13) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which funding under the regional economic development district law is being sought;

(14) A market study for the regional economic development area; and

(15) A certification by the regional economic development district board as to the accuracy of the regional economic development plan.

2. The regional economic development plan may be adopted by a regional economic development district in reliance on findings that a reasonable person would believe:

(1) The regional economic development area has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the implementation of one or more regional economic development projects and the adoption of incremental tax financing;

(2) The estimated dates of the completion of such regional economic development project and retirement of obligations incurred to finance regional economic development project costs which shall not be more than twenty-five years from the adoption of the resolution approving any regional economic development project, provided that no resolution approving a regional economic development project shall be adopted later than fifteen years from the adoption of the resolution approving the regional economic development plan;

(3) The development plan contains a cost-benefit analysis showing the economic impact of the regional economic development plan on any municipality, county, regional economic development district, and school districts that are at least partially within the boundaries of the regional economic development area. The analysis shall show the impact on the economy if the regional economic development projects are not built according to the regional economic development plan under consideration;

(4) The regional economic development plan does not include the initial development or redevelopment of any gambling establishment; and

(5) An economic feasibility analysis including a pro forma financial statement indicating the return on investment that may be expected without public assistance. The financial statement shall detail any assumptions made, a pro forma statement analysis demonstrating the amount of assistance required to bring the return into a range deemed attractive to private investors, which amount shall not exceed the estimated reimbursable project costs.

251.624. 1. When all regional economic development project costs and all obligations issued to finance regional economic development project costs have been paid in full, the regional economic development district shall adopt a resolution terminating incremental tax financing for all regional economic development project areas. Immediately upon the adoption of such resolution, all payments in lieu of taxes, all economic activity taxes, and other net new revenues then remaining in the special allocation fund shall be deemed to be surplus funds; thereafter, the rates of the taxing districts shall be extended, and taxes shall be levied, collected, and distributed in the manner applicable in the absence of the adoption of incremental tax financing. Surplus payments in lieu of taxes shall be paid to the county collector who shall immediately thereafter pay such funds to the taxing districts in the regional economic development area selected in the same manner and proportion as the most recent distribution by the collector to the affected taxing districts of real property taxes from real property in the regional economic development area. Surplus economic activity taxes shall be paid to the taxing districts in the regional economic development area in proportion to the then current levy rates of such taxing districts that are attributable to such economic activity taxes. Any other funds remaining in the special allocation fund following the adoption of a resolution terminating incremental tax financing in accordance with this section shall be deposited to the general fund of the municipalities or counties that originally formed the regional economic development district in a pro rata amount determined by the regional economic development district board.

2. Upon the payment of all regional economic development project costs, retirement of obligations, and the distribution of any surplus funds under this section, the regional economic development district shall adopt a resolution dissolving the special allocation fund and terminating the designation of the regional economic development area as a regional economic development area.

3. Nothing in the regional economic development district law shall be construed as relieving property in such areas from paying a uniform rate of taxes, as required by article X, section 3 of the Missouri Constitution.

251.627. In each of the twenty-five calendar years following the adoption of a resolution adopting incremental tax financing for a regional economic development project area, unless and until incremental tax financing for such regional economic development project area is terminated by resolution of the regional economic development district board, then, in respect to every taxing district containing such regional economic development project area, the county clerk or any other official required by law to ascertain the amount of the equalized assessed value of all taxable property within such regional economic development project area for the purpose of computing any debt service levies to be extended upon taxable property within such regional economic development project area, shall in every year that incremental tax financing is in effect ascertain the amount of value of taxable property in such regional economic development project area by including in such amount the certified total initial equalized assessed value of all taxable real property in such regional economic development project area in lieu of the equalized assessed value of all taxable real property in such regional economic development project area. For the purpose of measuring the size of payments in lieu of taxes under the regional economic development district law, all tax levies shall then be extended to the current equalized assessed value of all property in the regional economic development project area in the same manner as the tax rate percentage is extended to all other taxable property in the taxing district.

251.630. 1. A regional economic development district may at any time authorize or issue revenue bonds for the purpose of paying all or any part of the cost of any regional economic development project. Every issue of such bonds shall be payable out of the revenues of the regional economic development district and may be further secured by other property of the regional economic development district which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds shall be authorized by resolution of the regional economic development district, and if issued by the regional economic development district, shall bear such date or dates and shall mature at such time or times, but not in excess of twenty-five years, as the resolution shall specify. Such bonds shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and subject to redemption as such resolution may provide notwithstanding the provisions of section 108.170, RSMo. The bonds may be sold at either public or private sale at such interest rates, and at such price or prices as the regional economic development district board shall determine.

2. Any issue of regional economic development district bonds outstanding may be refunded at any time by the regional economic development district by issuing its refunding bonds in such amount as the regional economic development district may deem necessary. Such bonds may not exceed the amount sufficient to refund the principal of the bonds to be refunded together with any unpaid interest thereon and any premiums, commissions, service fees, and other expenses necessary to be paid in connection with the refunding. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the bonds being refunded or by the exchange of the refunding bonds for the bonds being refunded with the consent of the holder or holders of the bonds being refunded. Refunding bonds may be issued regardless of whether the bonds being refunded were issued in connection with the same project or a separate project and regardless of whether the bonds proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

3. Bonds issued under this section shall exclusively be the responsibility of the regional economic development district payable solely out of regional economic development district funds and property as provided in the regional economic development district law and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. The regional economic development district shall not be obligated to pay such bonds with any funds other than those specifically pledged to repayment of the bonds. Any bonds issued by a regional economic development district shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the regional economic development district.

4. Bonds issued under this section, the interest thereon, or any proceeds from such bonds shall be exempt from taxation in the state of Missouri."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hobbs offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 741, Page 1, Line 1, by inserting immediately before such line the following:

'AMEND said bill in the title by deleting the words "the Missouri economic development code" and inserting in lieu thereof the "economic development activities"; and

Further amend said line, by inserting immediately before such line the following:

"135.1200. 1. There is hereby created a "Regional Economic Development Initiative" to promote individual and business investments in economic development within the individual's or business' region through contributions to support regional economic development organizations' initiatives.

2. As used in this section, the following words and phrases shall mean:

(1) "Department", the department of economic development;

(2) "Regional economic development organization", any legally formed and locally recognized nonprofit organization representing multiple cities or counties with the goal of promoting economic growth for its respective areas;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or otherwise due under chapter 147, 148, or 153, RSMo;

(4) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax imposed in chapter 147, 148, or 153, RSMo.

3. A regional economic development organization may submit an application for authorization for tax credits to the department. The application shall identify the proposed use of such credit and the areas of emphasis for the use of such credits. Funds shall be used in a manner which furthers the economic growth of the region consistent with the goals and written plans of the regional economic development organization. Eligible activities shall include but not be limited to the following:

(1) Public infrastructure and related activities which include but are not limited to the acquisition of land, water, sewer, streets, and buildings;

(2) Revolving loan programs; or

(3) Job training programs.

4. Applications shall include the following:

(1) A resolution passed by the regional economic development organization's board approving the economic growth project;

(2) The method by which the regional economic development organization will measure success of the initiative;

(3) The proposed fund-raising period;

(4) The proposed project period; and

(5) The amount of tax credit authorization sought.

5. In approving applications, the department shall consider:

(1) The number of persons, families, or businesses which would benefit from the proposed project;

(2) The extent that additional public or private funds will be leveraged; and

(3) The potential impact of the project on existing businesses.

6. No application shall be authorized for an amount more than two million dollars in tax credits. No more than fifty thousand per year and one hundred fifty thousand total shall be used to support the operation of the regional economic development organization, including but not limited to salaries, marketing, operating expenses, and equipment.

7. The regional economic development organization shall provide the department with documentation of funds raised and expended under this section. Such organization shall submit quarterly reports detailing funds expended and the progress of the project. Within six months of the end of the project period, the regional economic development organization shall report the results and economic success and submit an audit.

8. If at the conclusion of the project period the funds raised have not been expended consistent with the approved application or the project has not been completed, an amount corresponding to the respective tax credits issued shall be repaid. Repayment may be in the form of cash paid directly to the department by the applicant or the voluntary relinquishment of the tax credits.

9. For all taxable years beginning on or after December 31, 2007, any taxpayer shall be entitled to a tax credit against any tax otherwise due under the provisions of chapter 143, 147, 148, or 153, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, in the amount of fifty percent of any amount contributed by the taxpayer to a regional economic development organization if the regional economic development organization's plan has been accepted and approved by the department. The contributions shall be made within the fund-raising period approved by the department.

10. The tax credit may be carried forward for up to five years, and the taxpayer may sell, assign, or otherwise transfer the tax credits.

11. The aggregate of all tax credits authorized under this section shall not exceed twelve million dollars in any year or thirty-six million dollars cumulatively.

12. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

13. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer raised a point of order that **House Amendment No. 1 to House Amendment No. 1** goes beyond the scope of the underlying amendment and the bill.

The Chair ruled the point of order not well taken.

HCS HB 741, with House Amendment No. 1 to House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

HCS HB 261, relating to asbestos liability, was taken up by Representative Sater.

Representative Pratt assumed the Chair.

Representative Yates offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 261, Page 3, Section 537.932, Line 11, by inserting after all of said line the following, "**assignability**"; and

Further amend said section, Page 3, Line 14, by inserting after all of said line the following, "**rights and obligations under**"; and

Further amend said section, Page 3, Line 15, by inserting after the word, "**settlements**" the words, "**between a transferor or successor and its insurers**"; and

Further amend said section, Page 3, Line 18, by inserting after all of said line the following, "**Without limiting the foregoing, to the extent total gross assets include any such liability insurance, a settlement of a dispute concerning any such liability insurance coverage entered into by a transferor or successor with the insurers of the transferor before August 28, 2007, shall be determinative of the total coverage of such liability insurance to be included in the calculation of the transferor's total gross assets.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Yates, **House Amendment No. 1** was adopted by the following vote:

AYES: 080

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Lembke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 076

Aull	Avery	Baker 25	Bland	Bowman
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Cooper 158	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Flook
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Nolte	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Silvey	Skaggs
Spreng	St. Onge	Storch	Swinger	Talboy
Todd	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Dixon	Haywood	Marsh
Onder	Yaeger			

HCS HB 261, as amended, was laid over.

SUPPLEMENTAL CALENDAR

APRIL 4, 2007

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HB 744 - St. Onge

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 583 - Johnson
- 2 HB 462 - Munzlinger
- 3 HCS HB 551, (Fiscal Review 4-3-07) - Dempsey
- 4 HCS HB 497 - Sater
- 5 HB 224 - Franz
- 6 HCS HB 820, (Fiscal Review 4-3-07) - Moore
- 7 HCS HB 104 - Meiners
- 8 HCS HB 181 - Sander
- 9 HB 574 - St. Onge
- 10 HB 554 - Cooper (155)
- 11 HCS HB 891, (Fiscal Review 4-4-07) - Kratky
- 12 HB 596 - St. Onge
- 13 HCS HB 555 - Cooper (155)
- 14 HCS HB 457, (Fiscal Review 4-4-07) - Sutherland
- 15 HCS HB 227, (Fiscal Review 4-4-07) - Swinger
- 16 HCS HB 795 - Flook
- 17 HCS HB 184 - Dempsey
- 18 HB 915, (Fiscal Review 4-4-07) - Dougherty
- 19 HCS HB 914, (Fiscal Review 4-4-07) - Wasson
- 20 HCS#2 HB 28 - Cunningham (86)
- 21 HCS HB 892, (Fiscal Review 4-4-07) - Kratky

On motion of Representative Dempsey, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

HOUSE RESOLUTION

Representative Deeken offered House Resolution No. 1738.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1727 through House Resolution No. 1737

House Resolution No. 1739 through House Resolution No. 1795

PERFECTION OF HOUSE BILL

HCS HB 741, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, relating to the Missouri Economic Development Code, was again taken up by Representative Pearce.

House Amendment No. 1 to House Amendment No. 1 was withdrawn.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

On motion of Representative Pearce, **HCS HB 741, as amended**, was adopted.

On motion of Representative Pearce, **HCS HB 741, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HB 987, relating to real estate appraisers, was taken up by Representative Wasson.

On motion of Representative Wasson, **HB 987** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HB 765, relating to state employee benefits, was taken up by Representative Dempsey.

Representative Harris (23) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 765, Page 7, Section 104.010, Line 190, by inserting after all of said line the following:

"3. Notwithstanding any other provision of law, the board of trustees shall not invest in or administer any benefit plan that contains equities, bonds, or any other ownership interests in any company or business entity incorporated or having any physical location whatsoever in the country of Sudan, or in any company or business entity that conducts business with another business entity incorporated or having any physical location whatsoever in the county of Sudan. This provision should remain in effect only insofar as it continues to be consistent with, and does not unduly interfere with, the foreign policy of the United States as determined by the federal government."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 765, with House Amendment No. 1, pending, was laid over.

HCS HB 90, relating to seat belts, was taken up by Representative St. Onge.

Representative Roorda offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 90, Page 3, Section 307.178, Line 57, by inserting after the word "RSMo." the following:

"8. In addition to the requirements set forth in sections 590.650.3 and 590.650.4 providing that law enforcement agencies compile aggregate traffic stop statistics and submit that data to the attorney general in the form of an annual report, each law enforcement agency shall compile and report annually to the attorney general a separate report of traffic stops initiated based on a primary seatbelt violation. The report shall include all of the data required for traffic stop reporting under section 590.650.2 and shall be submitted in the same format and in compliance with all of the provisions of section 590.650.3. The attorney general shall analyze the annual reports of law enforcement agencies required by this

section and submit a report of the findings to the governor, the general assembly and each law enforcement agency no later than June first of each year"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Pratt assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

HCS HB 90, with House Amendment No. 1, pending, was laid over.

THIRD READING OF HOUSE BILLS

HB 527, relating to corporate name reservations, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HB 527** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Iceet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 002

Whorton Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30 Marsh Meadows Yaeger

Speaker Pro Tem Bearden declared the bill passed.

HB 579, relating to civil defense, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HB 579** was read the third time and passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30 Marsh Meadows Yaeger

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

George

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30 Marsh Meadows Yaeger

HCS HB 431, relating to business organizations, was taken up by Representative Pratt.

On motion of Representative Pratt, **HCS HB 431** was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HCS HB 894, relating to independent candidates for election, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HCS HB 894** was read the third time and passed by the following vote:

AYES: 142

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wood	Wright 159	Wright-Jones	Yates	Young
Zweifel	Mr Speaker			

NOES: 016

Baker 25	Burnett	Daus	Frame	Low 39
Oxford	Robinson	Roorda	Salva	Schieffer
Talboy	Vogt	Whorton	Wilson 130	Witte
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman	Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HB 233, relating to the practice of chiropractic, was taken up by Representative Tilley.

On motion of Representative Tilley, **HB 233** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 002

Whorton Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Brown 30	Funderburk	Marsh	Meadows
Yaeger				

Speaker Pro Tem Bearden declared the bill passed.

HB 482, relating to counterfeiting, was taken up by Representative Walton.

On motion of Representative Walton, **HB 482** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Funderburk	Lampe	Marsh
Meadows	Yaeger			

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 583, relating to orders of protection, was taken up by Representative Johnson.

On motion of Representative Johnson, **HCS HB 583** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Brown 30	Funderburk	Marsh	Meadows
Yaeger				

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 497, relating to physician assistants, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 497** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 008

Dusenberg	Frame	Harris 23	LeVota	Nasheed
Nolte	Rucker	Skaggs		

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 30	Bruns	Marsh	Meadows	St. Onge
Yaeger				

Speaker Pro Tem Bearden declared the bill passed.

HB 224, relating to driver's licenses, was taken up by Representative Franz.

On motion of Representative Franz, **HB 224** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 008

Bowman	Darrough	Hughes	Lowe 44	Talboy
Whorton	Wildberger	Wright-Jones		

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HCS HB 104, relating to sales and use tax, was taken up by Representative Meiners.

On motion of Representative Meiners, **HCS HB 104** was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HCS HB 181, relating to video instructional material, was taken up by Representative Sander.

On motion of Representative Sander, **HCS HB 181** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 013

Bowman	Brown 50	Corcoran	Cox	Darrough
Daus	Robinson	Salva	Scavuzzo	Schieffer
Schoemehl	Whorton	Wildberger		

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HB 574, relating to enforcement system records, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HB 574** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Iceet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 008

Bringer	Burnett	Holsman	Hughes	LeVota
Talboy	Whorton	Wildberger		

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HB 554, relating to licensed professional counselors, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **HB 554** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Brown 50	Salva	Whorton	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HB 596, relating to bid bonds for highway projects, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HB 596** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 014

Bowman	Brown 50	Chappelle-Nadal	Daus	Holsman
Hughes	LeVota	Lowe 44	Oxford	Roorda
Salva	Talboy	Whorton	Wildberger	

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HCS HB 555, relating to complaints against license professionals, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **HCS HB 555** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 006

Johnson	Nasheed	Rucker	Salva	Whorton
Wildberger				

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Hughes	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HCS HB 795, relating to local public improvements, was taken up by Representative Flook.

On motion of Representative Flook, **HCS HB 795** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 007

Bringer	Hughes	LeVota	Robinson	Talboy
Whorton	Wildberger			

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HCS HB 184, relating to the Children's Services Protection Act, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HCS HB 184** was read the third time and passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HCS#2 HB 28, relating to carriers of household goods, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS#2 HB 28** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zweifel	Mr Speaker		

NOES: 016

Bowman	Bringer	Burnett	Chappelle-Nadal	Haywood
Nasheed	Quinn 9	Robinson	Salva	Scavuzzo
Storch	Talboy	Todd	Whorton	Wildberger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HCS HB 182, relating to the Do-Not-Resuscitate Act, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS HB 182** was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Davis

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

HB 462, relating to concealable firearms, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HB 462** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 013

Baker 25	Bowman	Brown 50	Daus	Hughes
Low 39	Lowe 44	Nasheed	Oxford	Rucker
Talboy	Walton	Wright-Jones		

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Marsh	Meadows	Yaeger
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Speaker Pro Tem Bearden declared the bill passed.

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 628**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 647**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCS SB 420**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 331**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 406** and **HB 726**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 948**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 913**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 919**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 944**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 81**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SS SB 195**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tourism, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **SB 166**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **SB 376**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 629**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 439**, begs leave to report it has examined the same and recommends that it **Do Pass**.

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

April 4, 2007

Chief Clerk D. Adam Crumbliss
201 West Capitol Ave., Rm. 306C
Jefferson City, MO 65101

Dear Chief Clerk Crumbliss,

I am writing to request that **House Concurrent Resolution No. 53**, regarding the No Child Left Behind Act, be withdrawn due to a technical error. Thank you.

Sincerely,

/s/ Representative Sara Lampe
District 138

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 5, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 5, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HJR 26, SB 79

FISCAL REVIEW

Thursday, April 5, 2007, 9:00 a.m. House Chamber south gallery.

All bills referred to Fiscal Review will be considered.

Public hearings to be held on: HCS HB 827, HCS HB 448, HCS HBs 365, 804 & 805

JOINT COMMITTEE ON EDUCATION

Thursday, April 5, 2007, 9:00 a.m. Representative Muschany's Office, Room 111.

Joint Committee on Education - Personnel.

Final draft of job description.

Possible posting venues.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 12, 2007, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, April 5, 2007, 8:30 a.m. Hearing Room 2. Amended Notice #2.

Executive session may follow. AMENDED

Public hearings to be held on: HJR 6, HCS HB 1000, HCR 33, HCS HB 399, HCS#2 HB 85, HCS#2 HB 752, HCS HBs 952 & 674, HCS HJR 20, HCS SB 218, SB 407, HCS SB 416, HCS SCS SB 272, HCS SCS SB 308

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Wednesday, April 11, 2007, 12:30 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1062, SCS SB 54

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 5, 2007, 9:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: SCS SBs 62 & 41, SS SCS SBs 255, 249 & 279

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 10, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid Reform.

Session will focus on provider testimony: primary care physicians, specialty physicians, other health care providers. To testify call 573-751-2183.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 11, 2007, 12:00 p.m. Hearing Room 3.

Working session on Medicaid Reform.

Focus on provider testimony: dentists, therapy services, air and ground ambulance, NEMT. To testify call 573-751-2183.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 5, 2007, 8:00 a.m. Hearing Room 7.

Executive session will follow.

Public hearings to be held on: HB 324, HB 978, HB 672, HB 208, HB 835, SCS SB 16

Executive session will be held on: SCS SB 16

SPECIAL COMMITTEE ON RETIREMENT

Thursday, April 5, 2007, 8:00 a.m. Hearing Room 1.

Executive session. AMENDED

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, April 5, 2007, 8:30 a.m. Hearing Room 4.

Executive session will follow. Reconsider HB 461.

Public hearing to be held on: SCS SB 198

Executive session will be held on: SCS SB 198

SPECIAL COMMITTEE ON TAX REFORM

Thursday, April 5, 2007, 9:30 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearing to be held on: SB 30

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, April 5, 2007, 9:00 a.m. House Chamber north gallery.

Executive session will follow.

Public hearings to be held on: SB 322, SCS SB 302

WAYS AND MEANS

Thursday, April 5, 2007, 9:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 160, HB 385, HB 1011

HOUSE CALENDAR

FIFTY-SECOND DAY, THURSDAY, APRIL 5, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HJR 19 - Bearden
- 3 HCS HJR 9 - Dethrow

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HB 213 - Cunningham (86)
- 6 HCS HB 466 - Schaaf
- 7 HCS HB 771 - Bearden
- 8 HCS HBs 180, 396 & 615 - Day
- 9 HCS HB 238 - Yates
- 10 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 11 HCS HB 788 - Cooper (155)
- 12 HCS HB 218 - Stevenson
- 13 HCS HB 811 - Schad
- 14 HB 412 - Emery
- 15 HB 215 - Stevenson
- 16 HB 432 - Schaaf
- 17 HCS HB 699 - Tilley
- 18 HCS HB 768 - St. Onge
- 19 HCS HB 122 - Nance
- 20 HCS HB 845 - Dixon

- 21 HCS HB 487 - Cooper (120)
- 22 HB 916 - Dougherty
- 23 HCS HB 945 - Parson
- 24 HCS HB 493 - Baker (123)
- 25 HCS HB 512 - Pratt
- 26 HCS HB 261, as amended - Yates
- 27 HB 746 - Franz
- 28 HB 882 - Page
- 29 HCS HB 1002 - Fisher
- 30 HCS HB 124 - Nance
- 31 HB 134 - Guest
- 32 HCS HB 329 - Cunningham (145)
- 33 HCS HB 343 - Munzlinger
- 34 HCS HB 654 & 938 - Stream
- 35 HCS HB 765, HA 1, pending - Dempsey
- 36 HCS HBs 807 & 690 - Baker (123)
- 37 HCS HB 818 - Ervin
- 38 HCS HB 98 - Parson
- 39 HCS HB 121 - Nance
- 40 HB 249 - Moore
- 41 HCS HB 252 - Robb
- 42 HCS HB 417 - Cunningham (86)
- 43 HCS HB 478 - Dethrow
- 44 HCS HB 490 - Baker (123)
- 45 HCS HB 508 - Schaaf
- 46 HCS HB 709 - Dethrow
- 47 HB 821 - Onder
- 48 HCS HB 995 - Hobbs

HOUSE BILL FOR PERFECTION - INFORMAL

HB 546 - Schaaf

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 364 - Ervin
- 2 HCS HB 131 - Cooper (120)
- 3 HCS HB 851 - Onder
- 4 HCS HB 165 - Cooper (120)
- 5 HCS HB 245 - St. Onge
- 6 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 7 HCS HB 448, (Fiscal Review 4-03-07) - Spreng
- 8 HCS HB 338, (Fiscal Review 4-03-07) - Tilley
- 9 HCS HB 827, (Fiscal Review 4-03-07) - Muschany
- 10 HCS HB 551, (Fiscal Review 4-03-07) - Dempsey
- 11 HCS HB 820, (Fiscal Review 4-03-07) - Moore
- 12 HCS HB 891, (Fiscal Review 4-04-07) - Kratky

- 13 HCS HB 457, (Fiscal Review 4-04-07) - Sutherland
- 14 HCS HB 227, (Fiscal Review 4-04-07) - Swinger
- 15 HB 915, (Fiscal Review 4-04-07) - Dougherty
- 16 HCS HB 914, (Fiscal Review 4-04-07) - Wasson
- 17 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
- 18 HCS HB 298 - Cooper (120)
- 19 HB 56 - Sater
- 20 HB 42 - Portwood
- 21 HCS HB 159 - Bivins
- 22 HCS HBs 619 & 118 - Aull
- 23 HB 791 - Wilson (130)
- 24 HCS HB 741 - Pearce

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 267 - Jones (117)
- 2 HB 265 - Cunningham (86)
- 3 HB 744 - St. Onge
- 4 HB 987 - Wasson

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow

HOUSE RESOLUTIONS

- 1 HR 65, (2-27-07, Page 491) - Schaaf
- 2 HR 433, (2-28-07, Pages 507-508) - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-SECOND DAY, THURSDAY, APRIL 5, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Holy God, Almighty God, we praise You for Your holiness and for Your love of all people. We are on the edge of the weekend that brings us the Easter break, of the days when we reflect upon the deepest meaning of death and of living, even unto eternity.

We thank You for all we have been able to accomplish to support and improve the lives of the people. We thank You for what we have been able to do to bring about the death of injustice and of other forms of evil.

We pray that we may continue to imitate by our work to enhance the lives of the people here on earth, all that You do to bring them to live in eternity.

We thank You for our families and for the opportunity to return to our homes this holy weekend.

You are our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Daniel Underwood, Jacob Woolbright, Christina Napper, Heather Jeude, Michael Jeude, Tom Carpenter, Katie Mack, Ben Vennard, Lucy Waldemer, Samantha Easter and Kevin Pearson.

The Journal of the fifty-first day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1796 through House Resolution No. 1819

HOUSE CONCURRENT RESOLUTION

Representative Sutherland, et al., offered House Concurrent Resolution No. 54.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 338**, (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 448**, (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 551**, (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 820**, (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 915**, (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 19, relating to religious freedom in public places, was taken up by Representative Bearden.

Representative Lembke assumed the Chair.

Representative Nieves assumed the Chair.

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 19, Page 2, Lines 17-18, by deleting the word "First Amendment" and replacing with "Bill of Rights".

On motion of Representative Talboy, **House Amendment No. 1** was adopted.

On motion of Representative Bearden, **HJR 19, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 329, relating to debt adjusters, was taken up by Representative Cunningham (145).

HCS HB 329 was laid over.

THIRD READING OF HOUSE BILLS

HCS HB 364, relating to an income tax deduction for health insurance premiums, was taken up by Representative Ervin.

On motion of Representative Ervin, **HCS HB 364** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Bruns	Kratky	Schlottach
Spreng	Yaeger			

Representative Nieves declared the bill passed.

HCS HB 131, relating to taxation, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HCS HB 131** was read the third time and passed by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 013

Casey	George	Hughes	Kuessner	Lowe 44
Moore	Oxford	Roorda	Schieffer	Vogt
Whorton	Wildberger	Wright-Jones		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Brown 30	Bruns	Kratky	Nolte
Schlottach	Spreng	Yaeger		

Representative Nieves declared the bill passed.

HCS HB 851, relating to the enforcement of immigration laws, was taken up by Representative Onder.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 058

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	George	Harris 110	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Talboy	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Young	Zimmerman	Zweifel		

PRESENT: 009

Frame	Grill	Harris 23	Hodges	Meadows
Quinn 9	Scavuzzo	Swinger	Todd	

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Haywood	Kratky	Yaeger
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On motion of Representative Onder, **HCS HB 851** was read the third time and passed by the following vote:

AYES: 116

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Hoskins	Hunter	Ice	Jones 89	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Zweifel
Mr Speaker				

NOES: 042

Bland	Bowman	Bringer	Brown 50	Burnett
Chappelle-Nadal	Corcoran	Curls	Daus	El-Amin
Fares	Flook	George	Haywood	Holsman
Hubbard	Hughes	Johnson	Jones 117	LeVota
Low 39	Lowe 44	Marsh	McClanahan	Nasheed
Oxford	Parson	Robb	Robinson	Roorda
Rucker	Schoemehl	Spreng	Storch	Talboy
Villa	Vogt	Walsh	Whorton	Wright-Jones
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Kratky	Liese	Yaeger
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Representative Nieves declared the bill passed.

Representative Pratt assumed the Chair.

HCS HB 448, relating to a credit on cars made in Missouri, was taken up by Representative Spreng.

On motion of Representative Spreng, **HCS HB 448** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Robb

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 30	Bruns	Flook	Kratky	Schaaf
Yaeger				

Representative Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

Representative Nieves resumed the Chair.

HCS HB 338, relating to compensation for certain corrections employees, was taken up by Representative Tilly.

On motion of Representative Tilly, **HCS HB 338** was read the third time and passed by the following vote:

AYES: 157

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Bruns	Jones 117	Kratky
Yaeger				

Representative Nieves declared the bill passed.

HCS HB 551, relating to the Line of Duty Compensation Act, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HCS HB 551** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Brown 30	Bruns	Denison	Kratky
Yaeger				

Representative Nieves declared the bill passed.

Speaker Jetton resumed the Chair.

HB 915, relating to a tax exemption for certain groups, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 915** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Kratky	Wasson	Wright-Jones
Yaeger	Yates			

Speaker Jetton declared the bill passed.

HB 56, relating to a memorial highway, was taken up by Representative Sater.

On motion of Representative Sater, **HB 56** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 002

Schad Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker 123	Brandom	Brown 30	Bruns	Kratky
Yaeger				

Speaker Jetton declared the bill passed.

HB 42, relating to the St. Louis Police Commissioners Board, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 42** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 004

Daus	Hughes	Lowe 44	Walton
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PRESENT: 001

Wallace

ABSENT WITH LEAVE: 006

Brown 30	Bruns	Kratky	Sutherland	Wright-Jones
Yaeger				

Speaker Jetton declared the bill passed.

HCS HBs 619 & 118, relating to a civil air patrol, was taken up by Representative Aull.

On motion of Representative Aull, **HCS HBs 619 & 118** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Haywood

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Kratky	Wright-Jones	Yaeger
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Speaker Jetton declared the bill passed.

HB 791, relating to health carrier claims information, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HB 791** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 002

Hughes Whorton

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30 Bruns Jones 117 Kratky Yaeger

Speaker Jetton declared the bill passed.

HCS HB 741, relating to the Missouri Economic Development Code, was taken up by Representative Pearce.

On motion of Representative Pearce, **HCS HB 741** was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Haywood	Kratky	Yaeger
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Speaker Jetton declared the bill passed.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HB 987, relating to real estate appraisers, was taken up by Representative Wasson.

On motion of Representative Wasson, **HB 987** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Frame	Lowe 44	Nasheed	Skaggs	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Bruns	Kratky	Yaeger
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Speaker Jetton declared the bill passed.

Representative Pratt resumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 820, relating to death penalty execution teams, was taken up by Representative Moore.

On motion of Representative Moore, **HCS HB 820** was read the third time and passed by the following vote:

AYES: 109

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 50	Casey	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grisamore	Guest
Harris 23	Hobbs	Hodges	Hoskins	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lembke	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Ruestman	Ruzicka	Salva
Sander	Sater	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Wallace	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Mr Speaker	

NOES: 047

Baker 25	Bland	Bowman	Burnett	Chappelle-Nadal
Corcoran	Curls	Daus	Donnelly	Dougherty
El-Amin	Fallert	George	Grill	Harris 110
Haywood	Holsman	Hubbard	Hughes	Johnson
Lampe	LeVota	Liese	Low 39	Lowe 44
Meiners	Nasheed	Norr	Oxford	Page
Scavuzzo	Schaaf	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Talboy	Villa
Vogt	Walsh	Whorton	Wright-Jones	Young
Zimmerman	Zweifel			

PRESENT: 002

Roorda	Rucker
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ABSENT WITH LEAVE: 005

Brown 30	Bruns	Kratky	Marsh	Yaeger
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Representative Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

THIRD READING OF HOUSE BILLS - FEDERAL MANDATE

HB 267, relating to special education hearings, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 267** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Kratky	Marsh	Yaeger
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Speaker Jetton declared the bill passed.

HB 265, relating to special education hearings, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HB 265** was read the third time and passed by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Casey
Cooper 120	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 017

Bland	Bowman	Burnett	Chappelle-Nadal	Curls
Haywood	Hughes	Johnson	Komo	LeVota
Lowe 44	Nasheed	Roorda	Skaggs	Talboy
Whorton	Wright-Jones			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 30	Bruns	Cooper 155	Kratky	Marsh
Yaeger				

Speaker Jetton declared the bill passed.

HB 744, relating to transportation, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HB 744** was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Brown 50	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 018

Bowman	Bringer	Burnett	Chappelle-Nadal	Daus
Dethrow	Frame	Franz	Haywood	Holsman
Hughes	Johnson	LeVota	Lowe 44	Oxford
Skaggs	Talboy	Whorton		

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 30	Bruns	Kratky	Marsh	Wright-Jones
Yaeger				

Speaker Jetton declared the bill passed.

HOUSE RESOLUTION

HR 65, relating to joint committee employees, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HR 65** was adopted.

PERFECTION OF HOUSE BILL

HCS HB 818, relating to health insurance portability, was taken up by Representative Ervin.

HCS HB 818 was laid over.

Representative Schoeller assumed the Chair.

HOUSE RESOLUTION

HR 433, relating to observation of “Science Day” in Missouri, was taken up by Representative Jetton.

On motion of Representative Jetton, **HR 433** was adopted.

Speaker Jetton resumed the Chair.

United States Senator Christopher “Kit” Bond was introduced by Speaker Jetton and addressed the House.

THIRD READING OF HOUSE BILLS

HCS HB 245, relating to commercial driver's license tests, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HCS HB 245** was read the third time and passed by the following vote:

AYES: 136

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self

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Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 018

Bland	Bowman	Burnett	Chappelle-Nadal	Daus
Holsman	Hughes	Johnson	Low 39	Lowe 44
Nasheed	Oxford	Rucker	Talboy	Villa
Vogt	Wright-Jones	Young		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Haywood	Kratky	Marsh
Todd	Whorton	Wildberger	Yaeger	

Speaker Jetton declared the bill passed.

HCS HB 165, relating to a telecommunications business license, was taken up by Representative Cooper (120).

Representative Hobbs assumed the Chair.

Speaker Jetton resumed the Chair.

On motion of Representative Cooper (120), **HCS HB 165** was read the third time and passed by the following vote:

AYES: 091

Aull	Avery	Bearden	Bivins	Brandom
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	El-Amin	Emery
Ervin	Faith	Fisher	Flook	Franz
Grill	Grisamore	Guest	Hobbs	Holsman
Hubbard	Hughes	Hunter	Icet	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lembke	Liese	Lipke	Loehner	May
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Silvey	Smith 14	Smith 150	Spreng
Stevenson	Stream	Sutherland	Thomson	Tilley

Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 055

Baker 25	Baker 123	Bland	Bowman	Bringer
Burnett	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Davis	Donnelly	Dougherty	Dusenberg
Fallert	Fares	Frame	George	Harris 23
Harris 110	Hodges	Hoskins	Johnson	Lampe
LeVota	Low 39	Lowe 44	McClanahan	McGhee
Moore	Norr	Oxford	Page	Robinson
Roorda	Rucker	Sander	Schneider	Schoemehl
Self	Shively	Skaggs	Storch	Swinger
Talboy	Threlkeld	Villa	Vogt	Walsh
Walton	Witte	Wright-Jones	Young	Zweifel

PRESENT: 005

Brown 50	Jones 89	Meadows	Onder	Zimmerman
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ABSENT WITH LEAVE: 012

Brown 30	Bruns	Funderburk	Haywood	Kratky
Marsh	Salva	St. Onge	Todd	Whorton
Wildberger	Yaeger			

Speaker Jetton declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 43 - Rules

HCR 45 - Crime Prevention and Public Safety

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 159 - Fiscal Review (Fiscal Note)

HB 484 - Special Committee on Health Insurance

HB 612 - Special Committee on Veterans

HB 651 - Special Committee on Family Services

HB 652 - Special Committee on Urban Issues

HB 713 - Special Committee on Health Insurance

HB 720 - Conservation and Natural Resources

HB 781 - Special Committee on Energy and Environment

HB 884 - Local Government

HB 931 - Transportation

HB 968 - Special Committee on Energy and Environment

HB 1052 - Special Committee on Urban Education Reform
HB 1060 - Special Committee on Urban Issues
HB 1061 - Health Care Policy
HB 1071 - Special Committee on Health Insurance
HB 1091 - Local Government
HB 1103 - Special Committee on Urban Issues
HB 1104 - Special Committee on Student Achievement
HB 1105 - Special Committee on Job Creation and Economic Development
HB 1113 - Special Committee on Urban Issues
HB 1117 - Transportation
HB 1118 - Transportation
HB 1119 - Special Committee on Financial Institutions
HB 1135 - Judiciary
HB 1136 - Local Government
HB 1144 - Special Committee on Workforce Development and Workplace Safety
HB 1155 - Special Committee on Retirement
HB 1156 - Special Committee on Health Insurance
HB 1159 - Local Government
HB 1164 - Special Committee on Utilities
HB 1171 - Local Government
HB 1182 - Local Government
HB 1189 - Health Care Policy
HB 1194 - Special Committee on Healthcare Facilities
HB 1199 - Local Government
HB 1205 - Elementary and Secondary Education
HB 1230 - Local Government
HB 1236 - Local Government
HB 1250 - Special Committee on Veterans
HB 1251 - Special Committee on Immigration
HB 1257 - Judiciary
HB 1264 - Special Committee on Healthcare Facilities
HB 1272 - Special Committee on Urban Education Reform
HB 1273 - Special Committee on Energy and Environment
HB 1275 - Special Committee on Utilities
HB 1281 - Special Committee on Urban Education Reform

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SRB 613 - Rules
SCS SB 66 - Insurance Policy
SS SB 112 - Special Committee on Family Services
SB 135 - Higher Education
SB 164 - Special Committee on Professional Registration and Licensing
SCS SB 328 - Special Committee on Energy and Environment
SCS SB 456 - Special Committee on General Laws

SB 481 - Judiciary
SCS SB 520 - Special Committee on Workforce Development and Workplace Safety
SB 593 - Elections
SCS SB 594 - Elections
SB 648 - Corrections and Public Institutions
SB 671 - Local Government

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 886**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SCS SB 288**, **SB 152** and **SCS SB 115**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 270**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 332**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HCR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SS SCS SBs 255, 249 & 279**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Healthcare Facilities, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Facilities, to which was referred **SB 298**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Healthcare Facilities, to which was referred **SCS SB 397**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 16**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **SB 406**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on State Parks and Waterways, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HB 461**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **SCS SB 198**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **SCS SB 64**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tax Reform, Chairman Stevenson reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 932**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 1089**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **SB 30**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **SB 233**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 587**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SCS SB 302**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SB 322**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 450**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 20**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 85**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 399**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 624**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 752**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 952 & 674**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1000**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 272**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 305**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 416**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 17, introduced by Representative Icet, to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2007 and ending June 30, 2009.

HB 18, introduced by Representative Icet, to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

The following member's presence was noted: Kratky.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, April 6, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-first Day, Wednesday, April 4, 2007, Page 939, Line 21, by deleting said line; and

Further correct said House Journal, Page 980, by inserting after Line 1, the following:

REFERRAL OF HOUSE BILL

HCS HB 892 - Fiscal Review (Fiscal Note)

AFFIDAVIT

I, State Representative Robin Wright-Jones, District 63, hereby state and affirm that my vote as recorded on Page 968 of the House Journal for April 4, 2007 was incorrectly recorded as no. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 5th day of April 2007.

/s/ Robin Wright-Jones
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 5th day of April in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, April 10, 2007, 10:30 a.m. Hearing Room 3.

Select programs from the Department of Elementary and Secondary Education.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 10, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1090, SCS SB 47, SCS SJRs 9 & 17

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 12, 2007, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

JUDICIARY

Tuesday, April 10, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 742, HB 902, HB 903, HB 904, HB 1021, HB 1108

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, April 10, 2007, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCR 49, HB 647, HCS HB 1055, HCS HB 628, HCS HB 944, HCS HB 913, HCS HB 948, HCS HB 629, HCS HBs 406 & 726, HCS HB 587, HCS HB 461, HCS SCS SB 64, SS SB 195, SB 233, HCS#2 SB 406, HCS SB 81, HCS SB 166, HCS SB 376, HCS SB 270, SCS SB 115, SB 332, SCS SB 397, HCS SB 322, SB 257, SB 152, HCS SCS SB 288, SBs 152 & SCS SB 115, SB 298, SCS SB 302

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Wednesday, April 11, 2007, 12:30 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1062, SCS SB 54

SPECIAL COMMITTEE ON FAMILY SERVICES

Tuesday, April 10, 2007, House Chamber south gallery upon afternoon adjournment.

Executive session.

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 11, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 733, HB 888, HB 1287, SCS SB 82

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, April 10, 2007, 1:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCS HB 735, HB 1128

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, April 10, 2007, Hearing Room 5 upon afternoon adjournment.

Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 10, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid Reform.

Session will focus on provider testimony: primary care physicians, specialty physicians, other health care providers. To testify call 573-751-2183.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 11, 2007, 12:00 p.m. Hearing Room 3.

Working session on Medicaid Reform.

Focus on provider testimony: dentists, therapy services, air and ground ambulance, NEMT. To testify call 573-751-2183.

HOUSE CALENDAR

FIFTY-THIRD DAY, FRIDAY, APRIL 6, 2007

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 17 and HB 18

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HB 213 - Cunningham (86)
- 6 HCS HB 466 - Schaaf
- 7 HCS HB 771 - Bearden
- 8 HCS HBs 180, 396 & 615 - Day
- 9 HCS HB 238 - Yates
- 10 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 11 HCS HB 788 - Cooper (155)
- 12 HCS HB 218 - Stevenson
- 13 HCS HB 811 - Schad
- 14 HB 412 - Emery
- 15 HB 215 - Stevenson
- 16 HB 432 - Schaaf
- 17 HCS HB 699 - Tilley
- 18 HCS HB 768 - St. Onge
- 19 HCS HB 122 - Nance
- 20 HCS HB 845 - Dixon
- 21 HCS HB 487 - Cooper (120)
- 22 HB 916 - Dougherty
- 23 HCS HB 945 - Parson
- 24 HCS HB 493 - Baker (123)
- 25 HCS HB 512 - Pratt
- 26 HCS HB 261, as amended - Yates
- 27 HB 746 - Franz
- 28 HB 882 - Page
- 29 HCS HB 1002 - Fisher
- 30 HCS HB 124 - Nance

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- 31 HB 134 - Guest
- 32 HCS HB 329 - Cunningham (145)
- 33 HCS HB 343 - Munzlinger
- 34 HCS HBs 654 & 938 - Stream
- 35 HCS HB 765, HA 1, pending - Dempsey
- 36 HCS HBs 807 & 690 - Baker (123)
- 37 HCS HB 818 - Ervin
- 38 HCS HB 98 - Parson
- 39 HCS HB 121 - Nance
- 40 HB 249 - Moore
- 41 HCS HB 252 - Robb
- 42 HCS HB 417 - Cunningham (86)
- 43 HCS HB 478 - Dethrow
- 44 HCS HB 490 - Baker (123)
- 45 HCS HB 508 - Schaaf
- 46 HCS HB 709 - Dethrow
- 47 HB 821 - Onder
- 48 HCS HB 995 - Hobbs
- 49 HCS#2 HB 85 - Kraus
- 50 HCS HB 399 - Walton
- 51 HCS HB 624 - Wilson (119)
- 52 HCS#2 HB 752 - Sutherland
- 53 HB 801 - Kraus
- 54 HCS HBs 952 & 674 - Wilson (130)
- 55 HCS HB 1000 - Storch
- 56 HCS HB 1044 - Deeken

HOUSE BILL FOR PERFECTION - INFORMAL

HB 546 - Schaaf

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 19 - Bearden

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HCS HB 827, (Fiscal Review 4-03-07) - Muschany
- 3 HCS HB 891, (Fiscal Review 4-04-07) - Kratky
- 4 HCS HB 457, (Fiscal Review 4-04-07) - Sutherland
- 5 HCS HB 227, (Fiscal Review 4-04-07) - Swinger
- 6 HCS HB 914, (Fiscal Review 4-04-07) - Wasson
- 7 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
- 8 HCS HB 298 - Cooper (120)
- 9 HCS HB 159, (Fiscal Review 4-05-07) - Bivins

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest

SENATE BILLS FOR THIRD READING - CONSENT

(4/06/07)

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-THIRD DAY, FRIDAY, APRIL 6, 2007

The House met pursuant to adjournment.

Representative Deeken in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 17 and **HB 18** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 38 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 17 - Budget

HB 18 - Budget

The following member's presence was noted: Todd.

ADJOURNMENT

On motion of Representative Deeken, the House adjourned until 2:00 p.m., Tuesday, April 10, 2007.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fifty-second Day, Thursday, April 5, 2007, Page 1014, Line 14, by deleting "**HCS SCS SB 305**" and inserting in lieu thereof the following:

"HCS SCS SB 308".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, April 10, 2007, 10:30 a.m. Hearing Room 3.

Select programs from the Department of Elementary and Secondary Education.

BUDGET

Wednesday, April 11, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow

Public hearings to be held on: HB 17, HB 18

BUDGET

Thursday, April 12, 2007, Hearing Room 3, one (1) hour upon adjournment.

Executive session may follow

Public hearings to be held on: HB 17, HB 18

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 10, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow AMENDED

Public hearings to be held on: HB 1090, SCS SB 47, SCS SJRs 9 & 17, HB 885

ELECTIONS

Wednesday, April 11, 2007, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 593, SCS SB 594

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 12, 2007, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

JUDICIARY

Tuesday, April 10, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 742, HB 902, HB 903, HB 904, HB 1021, HB 1108

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, April 10, 2007, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCR 49, HB 647, HCS HB 1055, HCS HB 628, HCS HB 944, HCS HB 913, HCS HB 948, HCS HB 629, HCS HBs 406 & 726, HCS HB 587, HCS HB 461, HCS SCS SB 64, SS SB 195, SB 233, HCS#2 SB 406, HCS SB 81, HCS SB 166, HCS SB 376, HCS SB 270, SCS SB 115, SB 332, SCS SB 397, HCS SB 322, SB 257, SB 152, HCS SCS SB 288, SB 152 & SCS SB 115, SB 298, SCS SB 302

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Wednesday, April 11, 2007, 12:30 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1062, SCS SB 54

SPECIAL COMMITTEE ON FAMILY SERVICES

Tuesday, April 10, 2007, House Chamber south gallery upon afternoon adjournment.

Executive session.

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, April 11, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: SS SB 112

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 11, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 733, HB 888, HB 1287, SCS SB 82

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, April 10, 2007, 1:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCS HB 735, HB 1128

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, April 10, 2007, Hearing Room 5 upon afternoon adjournment.

Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 10, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid Reform.

Session will focus on provider testimony: primary care physicians, specialty physicians, other health care providers. To testify call 573-751-2183.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 11, 2007, 12:00 p.m. Hearing Room 3.

Working session on Medicaid Reform.

Focus on provider testimony: dentists, therapy services, air and ground ambulance, NEMT.

To testify call 573-751-2183.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, April 11, 2007, 8:00 a.m. Hearing Room 6.

Public hearing to be held on: SS#2 SCS SB 161

SUBCOMMITTEE TO JOINT COMMITTEE ON EDUCATION - PERSONNEL

Wednesday, April 11, 2007, 9:30 a.m. Rep. Muschany's Office, Room 111.

Final Draft of Job Description.

Possible posting venues.

TRANSPORTATION

Wednesday, April 11, 2007, 8:00 a.m. House Lounge.

Executive session may follow.

Public hearings to be held on: HB 931, HB 1117, HB 1118, SCS SB 384, SB 223, SCS SB 232

HOUSE CALENDAR

FIFTY-FOURTH DAY, TUESDAY, APRIL 10, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HB 213 - Cunningham (86)
- 6 HCS HB 466 - Schaaf
- 7 HCS HB 771 - Bearden
- 8 HCS HB 180, 396 & 615 - Day
- 9 HCS HB 238 - Yates
- 10 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 11 HCS HB 788 - Cooper (155)
- 12 HCS HB 218 - Stevenson

- 13 HCS HB 811 - Schad
- 14 HB 412 - Emery
- 15 HB 215 - Stevenson
- 16 HB 432 - Schaaf
- 17 HCS HB 699 - Tilley
- 18 HCS HB 768 - St. Onge
- 19 HCS HB 122 - Nance
- 20 HCS HB 845 - Dixon
- 21 HCS HB 487 - Cooper (120)
- 22 HB 916 - Dougherty
- 23 HCS HB 945 - Parson
- 24 HCS HB 493 - Baker (123)
- 25 HCS HB 512 - Pratt
- 26 HCS HB 261, as amended - Yates
- 27 HB 746 - Franz
- 28 HB 882 - Page
- 29 HCS HB 1002 - Fisher
- 30 HCS HB 124 - Nance
- 31 HB 134 - Guest
- 32 HCS HB 329 - Cunningham (145)
- 33 HCS HB 343 - Munzlinger
- 34 HCS HBs 654 & 938 - Stream
- 35 HCS HB 765, HA 1, pending - Dempsey
- 36 HCS HBs 807 & 690 - Baker (123)
- 37 HCS HB 818 - Ervin
- 38 HCS HB 98 - Parson
- 39 HCS HB 121 - Nance
- 40 HB 249 - Moore
- 41 HCS HB 252 - Robb
- 42 HCS HB 417 - Cunningham (86)
- 43 HCS HB 478 - Dethrow
- 44 HCS HB 490 - Baker (123)
- 45 HCS HB 508 - Schaaf
- 46 HCS HB 709 - Dethrow
- 47 HB 821 - Onder
- 48 HCS HB 995 - Hobbs
- 49 HCS#2 HB 85 - Kraus
- 50 HCS HB 399 - Walton
- 51 HCS HB 624 - Wilson (119)
- 52 HCS#2 HB 752 - Sutherland
- 53 HB 801 - Kraus
- 54 HCS HBs 952 & 674 - Wilson (130)
- 55 HCS HB 1000 - Storch
- 56 HCS HB 1044 - Deeken

HOUSE BILL FOR PERFECTION - INFORMAL

HB 546 - Schaaf

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 19 - Bearden

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HCS HB 827, (Fiscal Review 4-03-07) - Muschany
- 3 HCS HB 891, (Fiscal Review 4-04-07) - Kratky
- 4 HCS HB 457, (Fiscal Review 4-04-07) - Sutherland
- 5 HCS HB 227, (Fiscal Review 4-04-07) - Swinger
- 6 HCS HB 914, (Fiscal Review 4-04-07) - Wasson
- 7 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
- 8 HCS HB 298 - Cooper (120)
- 9 HCS HB 159, (Fiscal Review 4-05-07) - Bivins

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest

SENATE BILLS FOR THIRD READING - CONSENT

(4/06/07)

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-FOURTH DAY, TUESDAY, APRIL 10, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray, by listening to the Lord God through the prophet Isaiah:

"For just as from the heavens
The rain and snow come down
And do not return there
Till they have watered the earth,
Making it fertile and fruitful,
Giving seed to him who sows
And bread to him who eats,
So shall My word be
That goes forth from my mouth;
It shall not return to Me void,
But shall do My will,
Achieving the end for which I sent it."
(Isaiah 55:10-11)

Almighty God, may Your word which You have sent into the world "achieve the end for which You sent it" through our work, during the remainder of this General Assembly of 2007. Glory and praise to You forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Arianna Galluzio.

The Journal of the fifty-second day was approved as corrected.

The Journal of the fifty-third day was approved as printed.

SPECIAL RECOGNITION

Kay Barnes, Mayor of Kansas City, Missouri, was introduced by Representative Skaggs and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1820 through House Resolution No. 1834

PERFECTION OF HOUSE BILLS

HCS HB 818, relating to health insurance portability, was taken up by Representative Ervin.

Representative Ervin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 818, Page 1, In the Title, Line 2, by deleting the section number "376.962,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "seventeen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the section number "376.962,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "seventeen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the section numbers "376.962," and "376.967,"; and

Further amend said bill, Page 18, Section 376.962, Lines 1 to 32, by deleting all of said lines; and

Further amend said bill, Page 18, Section 376.964, Line 1, by deleting the number "**1.**" after the section number "376.964."; and

Further amend said bill, Page 20, Section 376.964, Lines 40 to 45, by deleting all of said lines; and

Further amend said bill, Page 20, Section 376.966, Line 25, by deleting the phrase "**two hundred**" and inserting in lieu thereof the phrase "**one hundred fifty**"; and

Further amend said bill, Page 21, Section 376.966, Lines 32 to 36, by deleting all of said lines; and

Further amend said bill, Page 22, Section 376.966, Lines 85 to 91, by deleting all of said lines and inserting in lieu thereof the following:

"**by the plan.**"; and

Further amend said bill, Pages 22 to 24, Section 376.967, Lines 1 to 68, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ervin, **House Amendment No. 1** was adopted.

Representative Pollock offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 818, Page 1, Section A, Line 2, by inserting after all of said section the following:

“376.392. For any health carrier or health benefit plan, as defined in section 376.1350, that provides prescription drug coverage or contracts with a third-party for prescription drug services, the health carrier or health benefit plan shall notify enrollees in writing, or electronically with the permission of the enrollee, at least thirty days prior to any deletions, other than generic substitutions, in the health carrier’s or health benefit plan’s prescription drug formulary that affect such enrollees.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt assumed the Chair.

On motion of Representative Pollock, **House Amendment No. 2** was adopted.

Representative Wilson (130) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 818, Page 1, Section 376.450, Line 1, by inserting immediately preceding all of said line the following:

"376.435. 1. Beginning January 1, 2008, a health carrier providing a group health benefit plan or plans as such terms are defined in section 376.1350, to an employer who meets the requirements specified in subsection 2 of this section shall, upon request by the employer or the employer's producer of record, provide a report of the total dollar amount and total number of claims paid under the plan or plans for each of the prior three years or for each year coverage was in place if less than three years at the time of the request. In the case of an employer with multiple plans, the total dollar amounts shall be aggregated into one report. The report shall be provided within thirty days of the request. The information provided to the employer or the employer's producer of record shall be furnished in a manner that does not individually identify any employee or other person covered by the health benefit plan and shall comply with all applicable federal and state privacy laws regarding the disclosure of health records.

2. For purposes of subsection 1 of this section, an employer is one who:

(1) Employs at least fifty-one employees either at the time of the request or at the start of the reporting period; and

(2) Has been insured continuously with the health carrier or a carrier affiliated with the health carrier for at least the preceding twenty-two months."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (130), **House Amendment No. 3** was adopted.

Representative Donnelly offered **House Amendment No. 4.**

Representative Jones (89) raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Ervin, **HCS HB 818, as amended**, was adopted.

On motion of Representative Ervin, **HCS HB 818, as amended**, was ordered perfected and printed.

HCS HB 329, relating to debt adjusters, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **HCS HB 329** was adopted.

On motion of Representative Cunningham (145), **HCS HB 329** was ordered perfected and printed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 19, relating to religious freedom in public places, was taken up by Representative Bearden.

On motion of Representative Bearden, **HJR 19** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 007

Daus	Dougherty	Hughes	Johnson	Oxford
Skaggs	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Brown 30	Haywood	LeVota	May
Wright-Jones				

Representative Pratt declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HBs 654 & 938, relating to veterans, was taken up by Representative Stream.

On motion of Representative Stream, **HCS HBs 654 & 938** was adopted.

On motion of Representative Stream, **HCS HBs 654 & 938** was ordered perfected and printed.

HCS HB 945, relating to crimes against justice officials, was taken up by Representative Parson.

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 945, Page 5, Section 565.014, Line 1, by deleting the words "**criminal justice official**" and inserting in lieu thereof the words "**public servant**"; and

Further amend said section, Line 3, by deleting the words "**criminal justice official**" and inserting in lieu thereof the words "**public servant**"; and

Further amend said section, Line 4, by deleting the words "**criminal justice official**" and inserting in lieu thereof the words "**public servant**"; and

Further amend said section, Line 6, by deleting the words "**criminal justice official**" and inserting in lieu thereof the words "**public servant**"; and

Further amend said section, Line 7, by deleting the words "**criminal justice official**" and inserting in lieu thereof the words "**public servant**"; and

Further amend said section, Line 8, by deleting the words "**criminal justice official**" and inserting in lieu thereof the words "**public servant**"; and

Further amend said section, Lines 12 through 16, by deleting said lines and inserting in lieu thereof the following:

"3. For purposes of this section, "public servant" means any person as defined in subdivision (23) of section 556.061, RSMo."; and

Further amend said section, Line 17, by deleting the words "**criminal justice official**" and inserting in lieu thereof the words "**public servant**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Talboy moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	George	Grill	Harris 23	Hodges
Holsman	Hubbard	Hughes	Johnson	Komo
Kuessner	Lampe	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Young
Zimmerman	Zweifel			

NOES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grisamore
Guest	Harris 110	Hobbs	Hoskins	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Haywood	Kratky	LeVota
Nolte	Schaaf	Threlkeld	Wright-Jones	

Representative Bringer offered **House Amendment No. 2**.

Representative Smith (150) raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Parson, **HCS HB 945** was adopted.

On motion of Representative Parson, **HCS HB 945** was ordered perfected and printed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 591 - Special Committee on Financial Institutions

COMMITTEE REPORTS

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **SB 25**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **SCS SB 46**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **SB 84**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **SB 172**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 872**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 453**, entitled:

An act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

In which the concurrence of the House is respectfully requested.

COMMITTEE ASSIGNMENT

April 5, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Restructuring Fees of the Clean Water and Storm Water Programs:

Representative Walt Bivins
Representative Jeff Grisamore
Representative Shane Schoeller
Representative Joe Fallert
Representative Jeanette Mott Oxford

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton
Speaker

The following member's presence was noted: May.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, April 11, 2007.

CORRECTION TO THE JOURNAL

Correct House Journal, Fifty-second Day, Thursday, April 5, 2007, Page 1013, Lines 19 and 20, by deleting the words "**House Committee Substitute Do Pass**", and inserting in lieu thereof the words "**House Committee Substitute Do Pass by Consent**".

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, April 11, 2007, Hearing Room 4 upon afternoon adjournment.

Executive session will follow.

Public hearing to be held on: HR 1678

AGRICULTURE POLICY

Thursday, April 12, 2007, 8:00 a.m. Hearing Room 6.

Executive session.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, April 12, 2007, 8:15 a.m. Hearing Room 5.

Additional Medicaid Management Information System (MMIS)
presentation by the Department of Social Services.

BUDGET

Wednesday, April 11, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow

Public hearings to be held on: HB 17, HB 18

BUDGET

Thursday, April 12, 2007, Hearing Room 3 one (1) hour upon adjournment.

Executive session may follow

Public hearings to be held on: HB 17, HB 18

ELECTIONS

Wednesday, April 11, 2007, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 593, SCS SB 594

FISCAL REVIEW

Thursday, April 12, 2007, 9:00 a.m. House Chamber south gallery.

Any bills that may be in this Committee. AMENDED

HIGHER EDUCATION

Thursday, April 12, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: SB 135

INSURANCE POLICY

Wednesday, April 11, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 998, SCS SB 66

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 12, 2007, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Wednesday, April 11, 2007, 12:30 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1062, SCS SB 54

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, April 11, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: SS SB 112

SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS

Wednesday, April 11, 2007, Hearing Room 6 upon afternoon adjournment.

Informal hearing regarding payday loans. AMENDED

Public hearing to be held on: SS SCS SB 591

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 11, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 733, HB 888, HB 1287, SCS SB 82

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 12, 2007, 8:30 a.m. House Lounge.

Executive session may follow.

Public hearing to be held on: SCS SB 456

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 11, 2007, 12:00 p.m. Hearing Room 5.

Working session on Medicaid Reform.

Focus on provider testimony: dentists, therapy services, air and ground ambulance, NEMT.

To testify call 573-751-2183. AMENDED

Public hearing to be held on: HB 1264

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, April 11, 2007, 5:00 p.m. Hearing Room 7.

Hearing will convene at 5:00 p.m. or following afternoon adjournment, whichever comes first.

Public hearings to be held on: HB 591, HB 1251

SPECIAL COMMITTEE ON RETIREMENT

Thursday, April 12, 2007, 8:00 a.m. Hearing Room 1.

Executive session.

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, April 11, 2007, 5:00 p.m. Hearing Room 1.

Meeting will be at 5:00 p.m. or upon afternoon adjournment, whichever comes first.

Executive session may follow.

Public hearing to be held on: HB 769

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, April 11, 2007, 8:00 a.m. Hearing Room 6.

Public hearing to be held on: SS#2 SCS SB 161

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 11, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1022, HB 440, SCS SB 520

SUBCOMMITTEE TO JOINT COMMITTEE ON EDUCATION - PERSONNEL

Wednesday, April 11, 2007, 9:30 a.m. Rep. Muschany's Office, Room 111.

Final Draft of Job Description.

Possible posting venues.

TRANSPORTATION

Wednesday, April 11, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: HB 931, HB 1117, HB 1118, SCS SB 384, SB 223, SCS SB 232

HOUSE CALENDAR

FIFTY-FIFTH DAY, WEDNESDAY, APRIL 11, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HB 213 - Cunningham (86)

- 6 HCS HB 466 - Schaaf
- 7 HCS HB 771 - Bearden
- 8 HCS HBs 180, 396 & 615 - Day
- 9 HCS HB 238 - Yates
- 10 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 11 HCS HB 788 - Cooper (155)
- 12 HCS HB 218 - Stevenson
- 13 HCS HB 811 - Schad
- 14 HB 412 - Emery
- 15 HB 215 - Stevenson
- 16 HB 432 - Schaaf
- 17 HCS HB 699 - Tilley
- 18 HCS HB 768 - St. Onge
- 19 HCS HB 122 - Nance
- 20 HCS HB 845 - Dixon
- 21 HCS HB 487 - Cooper (120)
- 22 HB 916 - Dougherty
- 23 HCS HB 493 - Baker (123)
- 24 HCS HB 512 - Pratt
- 25 HCS HB 261, as amended - Yates
- 26 HB 746 - Franz
- 27 HB 882 - Page
- 28 HCS HB 1002 - Fisher
- 29 HCS HB 124 - Nance
- 30 HB 134 - Guest
- 31 HCS HB 343 - Munzlinger
- 32 HCS HB 765, HA 1, pending - Dempsey
- 33 HCS HBs 807 & 690 - Baker (123)
- 34 HCS HB 98 - Parson
- 35 HCS HB 121 - Nance
- 36 HB 249 - Moore
- 37 HCS HB 252 - Robb
- 38 HCS HB 417 - Cunningham (86)
- 39 HCS HB 478 - Dethrow
- 40 HCS HB 490 - Baker (123)
- 41 HCS HB 508 - Schaaf
- 42 HCS HB 709 - Dethrow
- 43 HB 821 - Onder
- 44 HCS HB 995 - Hobbs
- 45 HCS#2 HB 85 - Kraus
- 46 HCS HB 399 - Walton
- 47 HCS HB 624 - Wilson (119)
- 48 HCS#2 HB 752 - Sutherland
- 49 HB 801 - Kraus
- 50 HCS HBs 952 & 674 - Wilson (130)
- 51 HCS HB 1000 - Storch
- 52 HCS HB 1044 - Deeken

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HCS HB 827, (Fiscal Review 4-03-07) - Muschany
- 3 HCS HB 891, (Fiscal Review 4-04-07) - Kratky
- 4 HCS HB 457, (Fiscal Review 4-04-07) - Sutherland
- 5 HCS HB 227, (Fiscal Review 4-04-07) - Swinger
- 6 HCS HB 914, (Fiscal Review 4-04-07) - Wasson
- 7 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
- 8 HCS HB 298 - Cooper (120)
- 9 HCS HB 159, (Fiscal Review 4-05-07) - Bivins

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest

SENATE BILLS FOR THIRD READING - CONSENT

(4/06/07)

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken

SENATE BILL FOR THIRD READING

SB 257 - Pearce

HOUSE BILL WITH SENATE AMENDMENT

SS HCS HB 453 - Jetton

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-FIFTH DAY, WEDNESDAY, APRIL 11, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

You are our portion, O Lord. We strive to keep Your established principles. We seek Your favor with our whole heart. Be merciful to us according to Your Word.

You have dealt well with Your servants, O Lord: pouring out liberally Your blessings of wisdom, provision, health and safety. You are good and You do good.

Heavenly Father, we pray that we would not be as those who grope around in the dark without any sense of direction or purpose, but as those who are illuminated by the light of truth and do not stumble. May that light guide us in all of our undertakings, this week, on behalf of this state.

Blessing and glory and wisdom, thanksgiving and honor and power and might, be unto You forever and ever.

The grace of our Lord Jesus Christ be with us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashton Kratky, Stuart Murry, Megan Evans, Allie Lowe, Danny Naber and Dillon Richardson.

The Journal of the fifty-fourth day was approved as printed.

Representative Muschany assumed the Chair.

SPECIAL RECOGNITION

Dr. Karen Hendrickson of Cape Girardeau was introduced by Representative Cooper (158) and recognized as an Outstanding Missourian.

PERFECTION OF HOUSE BILL

HCS HBs 952 & 674, relating to long-term care facilities, was taken up by Representative Wilson (130).

Representative Wilson (130) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 952 & 674, Section 198.074, Page 5, Lines 1-4, by deleting all of said lines and inserting in lieu thereof the following:

"198.074. 1. Effective August 28, 2007, all new facilities built on or after August 28, 2007, or any facilities completing a major renovation to the facility on or after August 28, 2007, as defined and approved by the department, and which are licensed under this chapter shall install and maintain an approved sprinkler system in accordance with National Fire Protection Association (NFPA) 13.

2. Facilities that were initially licensed and had an approved sprinkler system and were required to have an approved sprinkler system installed under section 198.073, prior to August 28, 2007, shall continue to meet all laws, rules, and regulations for testing, inspection and maintenance of the sprinkler system that were in effect for such facilities on August 27, 2007.

3. All skilled nursing facilities and intermediate care facilities initially licensed on"; and

Further amend said substitute, said section, Pages 5-6, Lines 15-29, by deleting all of said lines and inserting in lieu thereof the following:

"4. All facilities, not included in subsection 3 of this section, which are initially licensed under this chapter prior to August 28, 2007, and that do not have installed an approved sprinkler system in accordance with NFPA 13R prior to August 28, 2007, shall install and maintain an approved sprinkler system in accordance with NFPA 13R by December 31, 2019, unless the facility receives an exemption from the department and presents evidence in writing from a certified sprinkler system representative or licensed engineer that the facility is unable to install an approved National Fire Protection Association 13R system due to the unavailability of water supply requirements associated with this system. Facilities that take a substantial step, as specified in subsection 8 of this section, to install an approved NFPA 13R system prior to December 31, 2019, may apply to the department for a loan matching funds dollar for dollar, in accordance with section 3, to install such system. However, such loan shall not be available if by December 31, 2009, the average total reimbursement for the care of persons eligible for Medicaid public assistance in an assisted living facility and residential care facility is equal to or exceeds fifty-five dollars per day. The average total reimbursement includes room, board, and care delivered by the facility, but shall not include payments to the facility for care or services not provided by the facility. If a facility under this subsection does not have an approved sprinkler system installed by December 31, 2019, such facility shall be required to install and maintain an approved sprinkler system in accordance with NFPA 13 by December 31, 2020. Such loans received under this subsection and in accordance with section 3, shall be paid as follows:

(1) Ten years for those facilities approved for the loan and whose average total reimbursement rate for the care of persons eligible for Medicaid public assistance is equal to forty-eight and no more than fifty dollars per day;

(2) Eight years for those facilities approved for the loan and whose average total reimbursement rate for the care of persons eligible for Medicaid public assistance is greater than fifty and no more than fifty-five dollars per day; or

(3) Five years for those facilities approved for the loan whose average total reimbursement rate for the care of persons eligible for Medicaid public assistance is greater than fifty-five dollars per day.

5. (1) All facilities licensed under this chapter shall be equipped with a complete fire alarm system in compliance with NFPA 101, Life Safety Code for Detection, Alarm, and Communication Systems as referenced in NFPA 72, or shall maintain a system that was approved by the department when such facility was constructed so long as such system is a complete fire alarm system. A complete fire alarm system shall include, but not be limited to, interconnected smoke detectors throughout the facility, automatic transmission to the fire department, dispatching agency, or central monitoring company, manual pull stations at each required exit attendant's station, heat detectors, and audible and visual alarm indicators.

(2) In addition, each floor accessed by residents shall be divided into at least two smoke sections by one-hour rated smoke partitions. No smoke section shall exceed one hundred fifty feet in length. If neither the length nor the width of the floor exceeds seventy-five feet, no smoke-stop partition shall be required. Facilities with a complete fire alarm system and smoke sections meeting the requirements of this subsection prior to August 28, 2007, shall continue to meet such requirements. Facilities initially licensed on or after August 28, 2007, shall comply with such requirements beginning August 28, 2007, or on the effective date of licensure.

(3) Except as otherwise provided in this subsection, the requirements for complete fire alarm systems and smoke sections shall be enforceable on December 31, 2008.

6. The requirements of this section shall be construed to supersede the provisions of section 198.058 relating to the exemption of facilities from construction standards.

7. Notwithstanding section 320.202, RSMo to the contrary, inspections of facilities licensed under this chapter for compliance with this section shall be conducted annually by the state fire marshal if such inspections are not available to be conducted by local fire protection districts or fire departments. The provisions of this section shall be enforced by the state fire marshal.

8. By July 1, 2008, all facilities licensed under this chapter shall submit a plan for compliance with the provisions of this section to the state fire marshal."; and

Further amend said substitute, Section 198.075, Page 6, Lines 1-26, by deleting all of said lines; and

Further amend said substitute, Section 3, Page 12, Line 5, by deleting the number "3" and insert in lieu thereof the number "4"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 952 & 674, Page 2, Line 4, by inserting immediately after the word "system" the following:

", unless those facilities meet the safety requirements of NFPA 101 pertaining to existing residential board and care occupancies"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 031

Bearden	Bivins	Brandom	Cooper 120	Cooper 155
Cunningham 145	Davis	Deeken	Emery	Ervin
Fares	Fisher	Guest	Icet	Kelly
May	Nieves	Onder	Parson	Pearce
Pollock	Portwood	Sander	Schaaf	Schad
Schlottach	Stevenson	Threlkeld	Tilley	Wells
Mr Speaker				

NOES: 123

Aull	Avery	Baker 25	Baker 123	Bland
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Cooper 158	Corcoran	Cox	Cunningham 86	Curls
Darrough	Daus	Day	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg

Faith	Fallert	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Jones 89	Jones 117
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nolte	Norr	Oxford
Page	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sater	Scavuzzo	Scharnhorst
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Weter	Whorton	Wildberger	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel		

PRESENT: 001

Wilson 119

ABSENT WITH LEAVE: 008

Bowman	Brown 30	Bruns	El-Amin	Haywood
Hunter	Moore	Wright-Jones		

Representative Donnelly offered **House Amendment No. 2 to House Amendment No. 1.**

Representative Stevenson raised a point of order that **House Amendment No. 2 to House Amendment No. 1** goes beyond the scope of the underlying amendment.

Representative Muschany requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Roorda offered **House Amendment No. 3 to House Amendment No. 1.**

House Amendment No. 3
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 952 & 674, Page 2, Line 1, by deleting the number "**2019**" and insert in lieu thereof the number "**2015**"; and

Further amend said amendment, said page, Line 7, by deleting the number "**2019**" and insert in lieu thereof the number "**2015**"; and

Further amend said amendment, said page, Line 14, by deleting the number "**2019**" and insert in lieu thereof the number "**2015**"; and

Further amend said amendment, said page, Line 15, by deleting the number "**2020**" and insert in lieu thereof the number "**2016**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 3 to House Amendment No. 1** was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Faith	Fallert	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 002

Cooper 120 Emery

PRESENT: 002

Davis Fares

ABSENT WITH LEAVE: 013

Bland	Bowman	Brown 30	Bruns	Cooper 155
Day	Funderburk	Haywood	Moore	Stevenson
Walton	Wilson 119	Wright-Jones		

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Meiners	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 054

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
George	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Norr	Oxford
Robinson	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Villa	Vogt	Walton	Whorton
Wildberger	Witte	Yaeger	Zimmerman	

PRESENT: 008

Frame	Harris 23	Page	Quinn 9	Roorda
Spreng	Todd	Walsh		

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Haywood	Moore	Quinn 7
Stevenson	Wright-Jones			

On motion of Representative Wilson (130), **House Amendment No. 1**, as amended, was adopted.

Representative Parson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 952 & 674, Section 1, Page 10, Line 1, by deleting "**Electrician/Sprinkler**" and inserting in lieu thereof the following:

"Fire Mitigation"; and

Further amend said substitute, said section, said page, Line 3, by deleting "**persons practicing as electricians or**"; and

Further amend said substitute, said section, said page, Line 4, by deleting the word "**sprinkler**" and insert in lieu thereof the following:

"fire mitigation"; and

Further amend said substitute, said section, said page, Lines 9-10, by deleting all of said lines; and

Further amend said substitute, said section, said page, Lines 11-12, by deleting all of said lines and insert in lieu thereof the following:

"(a) Two individuals who have been practicing as fire mitigation system installers/inspectors for the preceding five years;"; and

Further amend said substitute, said section, Page 11, Line 14, by deleting "**electrician and/or sprinkler**" and insert in lieu thereof the following:

"fire mitigation"; and

Further amend said substitute, said section, said page, Line 15, by deleting the word "**Two**" and insert in lieu thereof the word "**One**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Parson, **House Amendment No. 2** was adopted.

Representative Nance offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 952 & 674, Section 3, Page 12, Line 12, by deleting said line and insert in lieu thereof the following:

"2. Qualifying facilities shall make an application to the department of health and senior services upon forms provided by the department. Upon receipt of an application for a loan, the department shall review the application and advise the governor before state funds are allocated for a loan. For purposes of this section, a "qualifying facility" shall mean a facility licensed under this chapter that has been in substantial compliance with rules and regulations promulgated by the department of health and senior services within the previous year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 3** was adopted.

On motion of Representative Wilson (130), **HCS HBs 952 & 674, as amended**, was adopted.

On motion of Representative Wilson (130), **HCS HBs 952 & 674, as amended**, was ordered perfected and printed.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

SPECIAL RECOGNITION

The Jefferson High School Eagles Basketball Team was introduced by Representative Thomson and recognized for attaining the 2007 Class 1 State Basketball Championship.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1835 through House Resolution No. 1842

PERFECTION OF HOUSE BILL

HB 213, relating to intellectual diversity, was taken up by Representative Cunningham (86).

Representative Cunningham (86) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 213, Page 1, Section 173.057, Line 13, by inserting immediately after the word "**campus**" the following:

", including diversity-related criteria used in admissions, scholarship awards, and hiring"; and

Further amend said bill, page, and section, Line 15, by adding after the word "**procedures**," the following:

"which may include filing a complaint directly with the governing board,"; and

Further amend said bill and section, Page 2, Line 33, by deleting the word "**or**" and inserting after all of said line the following:

"(l) Hold meetings periodically with students to determine if the students believe they are receiving a sound and respectful education; or"; and

Further amend said bill, page, and section, Line 34, by relettering existing paragraph (l) as (m); and

Further amend said bill, page, and section, Line 40, by adding after the word "**policy**," the following:

"When any student asks how to pursue filing a grievance about an alleged violation of policy or expresses the belief to an instructor that his or her viewpoint has been discriminated against, the instructor shall inform the student of all the options available for resolving the student's grievance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hughes offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 213, Section 173.057, Line 3, insert after the word "hiring" the following:

"which shall include racial and gender diversity".

On motion of Representative Hughes, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Lochner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30

Bruns

Haywood

Page

Wright-Jones

Representative Nieves assumed the Chair.

On motion of Representative Cunningham (86), **House Amendment No. 1, as amended**, was adopted.

Representative Talboy offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 213, Page 2, Section 173.057, Line 21, insert after the word "development;" the following:

"and such concerns shall include but not be limited to the protection of religious freedom".

Representative Harris (110) offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Bill No. 213, by inserting after the word "freedom" the following:

"Including the viewpoint that the Bible is inerrant".

On motion of Representative Harris (110), **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 124

Aull	Baker 25	Baker 123	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	Ervin	Faith	Fallert
Fisher	Flook	Frame	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Marsh
May	McClanahan	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Portwood	Pratt	Quinn 9	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock

Villa	Wallace	Walsh	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Mr Speaker	

NOES: 025

Cooper 120	Cooper 158	Daus	Dougherty	El-Amin
Emery	Fares	Franz	Hoskins	Hubbard
Hunter	Lipke	Low 39	Lowe 44	Oxford
Pollock	Quinn 7	Robb	St. Onge	Talboy
Vogt	Whorton	Young	Zimmerman	Zweifel

PRESENT: 004

Avery	Cunningham 86	McGhee	Stream
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ABSENT WITH LEAVE: 010

Bearden	Brown 30	Bruns	Haywood	Richard
Robinson	Roorda	Walton	Wasson	Wright-Jones

Representative Bringer offered **House Amendment No. 2 to House Amendment No. 2.**

Representative Jones (89) raised a point of order that **House Amendment No. 2 to House Amendment No. 2** goes beyond the scope of the amendment.

Representative Stevenson raised an additional point of order that **House Amendment No. 2 to House Amendment No. 2** amends previously amended material.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the first point of order well taken.

On motion of Representative Talboy, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance

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Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Mr Speaker		

NOES: 012

Brown 50	Daus	Hoskins	Lowe 44	Oxford
Talboy	Vogt	Whorton	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 001

Roorda

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Bruns	Haywood	Kratky
Robinson	Wright-Jones			

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Young	Mr Speaker			

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Zimmerman
Zweifel				

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Bruns	Chappelle-Nadal	Haywood
Hunter	Robinson	Schneider	Wright-Jones	

On motion of Representative Cunningham (86), **HB 213, as amended**, was ordered perfected and printed.

HOUSE BILL WITH SENATE AMENDMENT

SS HCS HB 453, relating to donations to food pantries, was taken up by Representative Jetton.

On motion of Representative Jetton, **SS HCS HB 453** was adopted by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder

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Oxford	Page	Parson	Pearce	Pollock
Portwood	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Bruns	Haywood	Pratt
Robinson	Wright-Jones			

On motion of Representative Jetton, **SS HCS HB 453** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton

Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Bruns	Haywood	Nasheed
Robinson	Wright-Jones			

Representative Nieves declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 98, relating to elderly transportation services, was taken up by Representative Parson.

On motion of Representative Parson, **HCS HB 98** was adopted.

On motion of Representative Parson, **HCS HB 98** was ordered perfected and printed.

HB 916, relating to a tax exemption for veterans' groups, was taken up by Representative Dougherty.

Representative Richard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 916, Page 1, In the Title, Line 3, by inserting after the word "veteran's" the following:

", service and fraternal"; and

Further amend said bill, Page 3, Section 313.057, Line 64, by inserting after the word "**veteran's**" the following:

", **service and fraternal**"; and

Further amend said bill, Page 3, Section 313.057, Line 70, by inserting after the word "**veteran's**" the following:

", **service and fraternal**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 1** was adopted.

On motion of Representative Dougherty, **HB 916, as amended**, was ordered perfected and printed.

HB 801, relating to telecommunications, was taken up by Representative Kraus.

On motion of Representative Kraus, **HB 801** was ordered perfected and printed.

HCS HB 343, relating to hazardous substances, was taken up by Representative Munzlinger.

Representative Harris (110) offered **House Amendment No. 1**.

Representative Onder raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Munzlinger, **HCS HB 343** was adopted.

On motion of Representative Munzlinger, **HCS HB 343** was ordered perfected and printed.

HCS HB 1044, relating to elections, was taken up by Representative Deeken.

HCS HB 1044 was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 818 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 22 - Local Government

SCS SB 163 - Judiciary

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 630**, begs leave to report it has examined the same and recommends that the **House Committee Sustain Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Budget, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 17**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 18**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1170**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SS SCS SB 215**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 215, Pages 17 and 18, Section 379.1340, Lines 2 through 6, by deleting all of said lines and inserting in lieu thereof the following:

"accordance with the provisions of sections 379.1300 to 379.1350. In addition to the general provisions of sections"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 716**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **SS SB 112**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Government Affairs, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HCS HB 735**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Health Insurance, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 95**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **SB 127**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **SS#2 SCS SB 161**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 112, HB 26, HB 37, HB 78, HB 79** and **HB 154**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **SCS SB 520**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 646**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 91**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 200**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 223**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 232**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 238**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 384**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 406 & 726**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 461**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 587**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 628**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 629**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 647**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 913**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 944**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 948**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1055**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 3 hours for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 64**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 81**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 166**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 195**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 233**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 270**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 288, SB 152 and SCS SB 115**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 298**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 302**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 322**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 332**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 376**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 397**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 577**, entitled:

An act to repeal sections 191.411, 191.900, 191.905, 191.910, 208.014, 208.151, 208.152, 208.153, 208.201, 208.212, 208.215, 208.217, 208.631, 208.930, 473.398, 660.546, 660.547, 660.549, 660.551, 660.553, 660.555, and 660.557, RSMo, and to enact in lieu thereof thirty-six new sections relating to the creation of the MO HealthNet program in order to provide medical assistance for needy persons, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 12, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 12, 2007, 8:00 a.m. Hearing Room 6.
Executive session.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, April 12, 2007, 8:15 a.m. Hearing Room 5.
Additional Medicaid Management Information System (MMIS)
presentation by the Department of Social Services.

BUDGET

Thursday, April 12, 2007, Hearing Room 3 one (1) hour upon adjournment.
Executive session may follow. CANCELLED
Public hearings to be held on: HCS HB 17, HCS HB 18

FISCAL REVIEW

Thursday, April 12, 2007, 9:00 a.m. House Chamber south gallery.
Any bills that may be in this committee. AMENDED

HEALTH CARE POLICY

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 1067, HB 682, HB 1061, HB 463

HIGHER EDUCATION

Thursday, April 12, 2007, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: SB 135

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Tuesday, April 17, 2007, 1:30 p.m. Bingham Conference Room.

Department Update - Information Only.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 12, 2007, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

LOCAL GOVERNMENT

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1091, HB 1136, HB 1058, SS SCS SB 22

RULES

Thursday, April 12, 2007, 9:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HCR 43

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, April 12, 2007, 9:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCS HB 331, HCS HB 1089, HCS HB 872,
HCS HB 244, HB 932, SCR 18, HCS SB 30, SB 172, HCS SB 218,
SCS SB 16, HCS SCS SB 198

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, April 12, 2007, House Chamber south gallery upon afternoon adjournment.

Public hearing to be held on: HCS SB 127

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 12, 2007, 8:30 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearing to be held on: SCS SB 456

SPECIAL COMMITTEE ON RETIREMENT

Thursday, April 12, 2007, 8:00 a.m. Hearing Room 1.

Executive session.

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 1052, HB 1272, HB 1281

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, April 12, 2007, 12:00 p.m. Hearing Room 6.

Hearing will convene at 12:00 p.m. or upon adjournment. AMENDED

Executive session will be held on: HB 923, HCR 26

HOUSE CALENDAR

FIFTY-SIXTH DAY, THURSDAY, APRIL 12, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HCS HB 466 - Schaaf
- 6 HCS HB 771 - Bearden
- 7 HCS HBs 180, 396 & 615 - Day
- 8 HCS HB 238 - Yates
- 9 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 10 HCS HB 788 - Cooper (155)
- 11 HCS HB 218 - Stevenson
- 12 HCS HB 811 - Schad
- 13 HB 412 - Emery
- 14 HB 215 - Stevenson
- 15 HB 432 - Schaaf
- 16 HCS HB 699 - Tilley
- 17 HCS HB 768 - St. Onge
- 18 HCS HB 122 - Nance
- 19 HCS HB 845 - Dixon
- 20 HCS HB 487 - Cooper (120)
- 21 HCS HB 493 - Baker (123)
- 22 HCS HB 512 - Pratt
- 23 HCS HB 261, as amended - Yates
- 24 HB 746 - Franz
- 25 HB 882 - Page
- 26 HCS HB 1002 - Fisher
- 27 HCS HB 124 - Nance
- 28 HB 134 - Guest
- 29 HCS HB 765, HA 1, pending - Dempsey

- 30 HCS HBs 807 & 690 - Baker (123)
- 31 HCS HB 121 - Nance
- 32 HB 249 - Moore
- 33 HCS HB 252 - Robb
- 34 HCS HB 417 - Cunningham (86)
- 35 HCS HB 478 - Dethrow
- 36 HCS HB 490 - Baker (123)
- 37 HCS HB 508 - Schaaf
- 38 HCS HB 709 - Dethrow
- 39 HB 821 - Onder
- 40 HCS HB 995 - Hobbs
- 41 HCS#2 HB 85 - Kraus
- 42 HCS HB 399 - Walton
- 43 HCS HB 624 - Wilson (119)
- 44 HCS#2 HB 752 - Sutherland
- 45 HCS HB 1000 - Storch
- 46 HCS HB 1044 - Deeken

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HCS HB 827, (Fiscal Review 4-03-07) - Muschany
- 3 HCS HB 891, (Fiscal Review 4-04-07) - Kratky
- 4 HCS HB 457, (Fiscal Review 4-04-07) - Sutherland
- 5 HCS HB 227, (Fiscal Review 4-04-07) - Swinger
- 6 HCS HB 914, (Fiscal Review 4-04-07) - Wasson
- 7 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
- 8 HCS HB 298 - Cooper (120)
- 9 HCS HB 159, (Fiscal Review 4-05-07) - Bivins
- 10 HCS HB 818, (Fiscal Review 4-11-07) - Ervin
- 11 HCS HB 329 - Cunningham (145)
- 12 HCS HBs 654 & 938 - Stream
- 13 HCS HB 945 - Parson
- 14 HCS HBs 952 & 674 - Wilson (130)
- 15 HB 213 - Cunningham (86)
- 16 HCS HB 98 - Parson
- 17 HB 916 - Dougherty
- 18 HB 801 - Kraus
- 19 HCS HB 343 - Munzlinger

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILL FOR SECOND READING

SS SCS SB 577

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest

SENATE BILLS FOR THIRD READING - CONSENT

(4/06/07)

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken

(4/12/07)

HCS SB 322 - Cooper (158)

SENATE BILL FOR THIRD READING

SB 257 - Pearce

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, THURSDAY, APRIL 12, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Blessed are You, Lord, God of all creation,
Whose goodness fills our hearts with joy.
Blessed are You,
Who have brought us together again this day
To work in harmony and peace,
As we serve the people of our State,
And promote the well-being of our Nation.
Strengthen us with Your grace and wisdom
For You are God forever and ever.
Amen.
(Adapted from BOOK OF BLESSINGS)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tylor Milos, Duncan Shepherd, Alessandra Silva, Ian Sparr, Dylan Brems, Brianna Smith, Sydney Lintner and Shannon Jaeger.

The Journal of the fifty-fifth day was approved as corrected.

Representative Jones (89) assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1843 through House Resolution No. 1853

HOUSE CONCURRENT RESOLUTION

Representative Lampe, et al., offered House Concurrent Resolution No. 55.

SECOND READING OF SENATE BILL

SS SCS SB 577 was read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 227** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 457** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 818** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 914** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

SB 257, relating to firearms, was taken up by Representative Pearce.

On motion of Representative Pearce, **SB 257** was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson

Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 002

Low 39 Oxford

PRESENT: 000

ABSENT WITH LEAVE: 011

Bowman	Brown 30	Bruns	Haywood	Hoskins
Kratky	Lowe 44	Meadows	Nieves	Robinson
Wright-Jones				

Representative Jones (89) declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 457, relating to the Senior Citizens' Homestead Tax Relief Act, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 457** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton

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Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bearden	Bowman	Brown 30	Bruns	Haywood
Kratky	Meadows	Robinson	Roorda	Ruestman
Sander	Wright-Jones			

Representative Jones (89) declared the bill passed.

HCS HB 227, relating to a tax credit for storm shelters, was taken up by Representative Swinger.

On motion of Representative Swinger, **HCS HB 227** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 003

Daus Sander Villa

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bearden	Bowman	Brown 30	Bruns
Haywood	Hughes	Kratky	Meadows	Robinson
Sater	Wright-Jones			

Representative Jones (89) declared the bill passed.

Speaker Jetton resumed the Chair.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SB 257** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Jones (89) resumed the Chair.

Representative Pratt assumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 914, relating to licensed professionals, was taken up by Representative Wasson.

On motion of Representative Wasson, **HCS HB 914** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda

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Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 006

Cooper 158	Emery	Ervin	Lipke	Muschany
Stevenson				

PRESENT: 002

Swinger	Tilley
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ABSENT WITH LEAVE: 008

Bearden	Brown 30	Bruns	Haywood	Kratky
Meadows	Robinson	Wright-Jones		

Representative Pratt declared the bill passed.

HCS HB 298, relating to the Missouri Blasting Safety Act, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HCS HB 298** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman

Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 003

Moore	Salva	Wildberger
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PRESENT: 001

Oxford

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Bruns	Haywood	Kratky
Meadows	Robinson	Walton	Wright-Jones	

Representative Pratt declared the bill passed.

Representative Jones (89) resumed the Chair.

HCS HB 818, relating to health insurance portability, was taken up by Representative Ervin.

On motion of Representative Ervin, **HCS HB 818** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva

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Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Johnson	Lowe 44	Nasheed	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Bruns	Haywood	Kratky
Meadows	Robinson	Walton	Wright-Jones	

Representative Jones (89) declared the bill passed.

HCS HB 329, relating to debt adjusters, was taken up by Representative Cunningham (145).

Speaker Jetton resumed the Chair.

Representative Onder assumed the Chair.

HCS HB 329 was laid over.

HCS HBs 654 & 938, relating to veterans, was taken up by Representative Stream.

On motion of Representative Stream, **HCS HBs 654 & 938** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners

Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Mr Speaker			

NOES: 003

Daus	Dougherty	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Bowman	Brown 30	Bruns	Frame
Haywood	Kratky	Meadows	Nolte	Robinson
Walton	Wright-Jones	Zweifel		

Representative Onder declared the bill passed.

HCS HB 945, relating to crimes against justice officials, was taken up by Representative Parson.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream

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Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 014

Bowman	Brown 30	Bruns	Frame	Haywood
Kratky	Marsh	Meadows	Robinson	Self
Spreng	Walton	Wright-Jones	Zweifel	

On motion of Representative Parson, **HCS HB 945** was read the third time and passed by the following vote:

AYES: 109

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 50	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Grisamore
Guest	Harris 23	Hobbs	Hoskins	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nieves
Nolte	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Richard	Robb
Roorda	Ruestman	Ruzicka	Salva	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Yates	Young	Zimmerman	Mr Speaker	

NOES: 035

Baker 25	Bland	Burnett	Chappelle-Nadal	Curls
Daus	Dougherty	El-Amin	George	Grill
Harris 110	Holsman	Hubbard	Johnson	Kraus
LeVota	Low 39	Lowe 44	Nance	Nasheed
Oxford	Quinn 7	Quinn 9	Rucker	Sander
Scavuzzo	Schieffer	Skaggs	Storch	Talboy
Todd	Villa	Vogt	Whorton	Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 019

Bowman	Brown 30	Bruns	Frame	Funderburk
Haywood	Hodges	Hughes	Kratky	Marsh
Meadows	Norr	Robinson	Shively	Spreng
Walton	Wright 159	Wright-Jones	Zweifel	

Representative Onder declared the bill passed.

HB 213, relating to intellectual diversity, was taken up by Representative Cunningham (86).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Mr Speaker		

NOES: 055

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Donnelly	El-Amin	Fallert	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo

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Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Wildberger	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Bowman	Brown 30	Bruns	Frame
Funderburk	Haywood	Kratky	Marsh	Meadows
Robinson	Spreng	Walton	Wright-Jones	Zweifel

On motion of Representative Cunningham (86), **HB 213** was read the third time and passed by the following vote:

AYES: 097

Baker 123	Bearden	Bivins	Brandom	Bringer
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fisher	Flook	Franz	Grisamore	Guest
Harris 110	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 050

Aull	Baker 25	Bland	Brown 50	Burnett
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	George	Grill	Harris 23
Hodges	Holsman	Hughes	Johnson	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Norr	Oxford	Page
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Skaggs	St. Onge	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Yaeger	Young	Zimmerman

PRESENT: 001

Fares

ABSENT WITH LEAVE: 015

Avery	Bowman	Brown 30	Bruns	Frame
Funderburk	Haywood	Kratky	Marsh	Meadows
Robinson	Spreng	Walton	Wright-Jones	Zweifel

Representative Onder declared the bill passed.

COMMITTEE REPORTS

Committee on Administration and Accounts, Chairman Jones (117) reporting:

Mr. Speaker: Your Committee on Administration and Accounts, to which was referred **HR 1678**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE RESOLUTION NO. 1678

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 18, 2007; and

WHEREAS, employees of the House of Representatives are designated and funded in House Bill No. 12, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW, THEREFORE, BE IT RESOLVED that the Missouri House of Representatives, Ninety-third General Assembly, may employ for the period between May 18, 2007, and January 9, 2008, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

Committee on Agriculture Policy, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 156**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1023**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 29**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 425**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 135**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 869**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Financial Institutions, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **SS SCS SB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SB 352**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 456**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Healthcare Facilities, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Facilities, to which was referred **HB 1264**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Health Insurance, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 802**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Homeland Security, Chairman Dusenberg reporting:

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **HB 727**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 758**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, the U.S. Department of State has designated certain nations as terrorist-sponsoring states which at this time include the government of Iran, Sudan, Syria, and North Korea; and

WHEREAS, U.S. companies are legally prohibited from and subject to civil and criminal penalties for doing business in or with U.S. State Department-designated terrorist-sponsoring states; and

WHEREAS, billions of dollars in U.S. public funds have been invested in foreign companies that have direct financial relationships with the governments of U.S. State Department-designated terrorist-sponsoring states; and

WHEREAS, the U.S. Department of the Treasury has taken actions to prohibit international banks from investing in and providing financial assistance to U.S. State Department-designated terrorist-sponsoring states; and

WHEREAS, the Securities and Exchange Commission has established the Office of Global Security Risk to assess and protect investors from shareholder risk associated with investments in companies doing business in and with U.S. State Department-designated terrorist-sponsored states; and

WHEREAS, there is a global security risk identified with investments that support these U.S. State Department-designated terrorist-sponsoring states; and

WHEREAS, the pensions of the dedicated public employees of this State should be invested wisely and protected from known risk; and

WHEREAS, in the fight to keep our nation safe from terrorist attacks, 3,481 American soldiers have lost their lives and 24,646 have been wounded in Operation Iraqi Freedom and Operation Enduring Freedom; and

WHEREAS, the government of Sudan is responsible for the death of at least 400,000 innocent civilians and the displacement of over 2,000,000 refugees; and

WHEREAS, the Missouri General Assembly desires to ensure that employee pension funds are invested wisely and that these investments do not include foreign publicly traded companies that have direct financial relationships with the governments of U.S. State Department-designated terrorist-sponsoring states; and

WHEREAS, the Missouri General Assembly believes that it is of the utmost importance for the State of Missouri to ensure that it does not allow the investment of public funds in companies whose business activities benefit and support nations that are egregious violators of human rights and known sponsors of terrorism and that, according to the U.S. government, are developing weapons of mass destruction and delivery capabilities:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby call on the public retirement systems of Missouri to immediately enact all necessary provisions and take all necessary actions to ensure that no public funds are invested in entities that have direct financial relationships with the U.S. State Department-designated terrorist-sponsoring states, and to replace any holdings that are divested with comparable investments. This in no way shall apply to any company that is providing humanitarian aid for the citizens of these nations.

Special Committee on Senior Citizen Advocacy, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 769**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HCR 26**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 26

WHEREAS, in 1720, Philippe Francois Renault introduced Negro slavery to Missouri when he brought 500 Negroes with him from Santa Domingo to work the lead mines in the Des Peres River section of what is now St. Louis and Jefferson Counties; and

WHEREAS, the Missouri Compromise of 1820 resulted in Missouri being admitted as a slave state in exchange for approving the application for statehood of Maine as a free state in order to resolve a dispute involving the ban on slavery in territories north of the Ohio River enacted in 1787. Under the Missouri Compromise, slavery would be allowed in Missouri, but slavery would no longer be allowed for any future requests for statehood north of the what would become known as the Mason-Dixon Line; and

WHEREAS, in 1860, 36 counties in Missouri had 1,000 or more slaves. A series of laws, known as slave codes, were drawn up to address the slave population in Missouri. Under the territorial slave code of 1804, slaves were made personal property, and each revision of the law was drafted with this precedent in mind. The State Constitution of 1820, for example, provided that slaves were not to be emancipated "without the consent of their masters, or without paying them, before such emancipation"; and

WHEREAS, a slave was not permitted to keep a gun in Missouri. If he was caught carrying a gun, he was to receive 39 slashes and forfeit the gun. Slaves who participated in riots, attended unlawful assemblies, or who were guilty

of making seditious speeches, were subject to whipping. Slaves guilty of conspiracy, rebellion, insurrection, and murder were put to death; and

WHEREAS, other laws further emphasized the disparate treatment of Blacks. Negroes or mulattoes "who should commit or attempt to commit assault upon White women would be mutilated." However, since a slave woman was chattel, a White man who raped her was only guilty of trespass on the master's property; and

WHEREAS, in 1825, a law was passed declaring Blacks to be incompetent as witnesses in legal cases involving Whites; and

WHEREAS, in 1847, one of the harshest laws regarding slaves was enacted. In that year, an ordinance specifically prohibited the education of Negroes was passed. Anyone operating a school or teaching reading and writing to any Negro or mulatto in Missouri could be punished by a fine of not less than \$500 and up to six months in jail. This law was a direct result of an ever increasing conviction on the part of slave holders that literacy led to rebellion; and

WHEREAS, even in death the races were generally separated. Usually there were "white" and "colored" cemeteries in every area of the State; and

WHEREAS, throughout the slavery period in Missouri there were persons, Black and White, who advocated the abolition of slavery both locally and nationally. These abolitionists were an unpopular group in a slaveholding state because they challenged the continued existence of an institution which provided for cheap labor. Because of their deep mistrust toward persons who challenged their way of life, pro-slavery forces generally dealt severely with abolitionists; and

WHEREAS, discrimination followed the Negroes into the Union Army during the Civil War. Negroes, like Whites, were promised a bounty but not until the war was over did they receive it. While White soldiers received \$13 a month, Negro soldiers were given \$10 a month. Blacks were given inferior weapons and materials, inadequate medical care, and if captured, were killed until Lincoln and Grant threatened to treat captured Confederate soldiers in a similar manner; and

WHEREAS, in 1943, the Missouri Legislature rejected a civil rights bill that would have given Blacks equal access to public places, such as restaurants and theaters; and

WHEREAS, in July 2003, President George W. Bush, at his visit to Goree Island (Senegal), acknowledged slavery in America as the largest migration in history, and also one of the greatest crimes of history; and

WHEREAS, in his State of the Judiciary address delivered to the First Regular Session of the 94th General Assembly, Missouri Supreme Court Chief Justice Michael Wolff acknowledged the *Dred Scott* decision as one of the greatest blemishes on judicial history; and

WHEREAS, in the *Dred Scott* case, Dred Scott, a slave who had lived in the free state of Illinois and the free territory of Wisconsin before moving back to the slave state of Missouri, had appealed to the United States Supreme Court in hopes of being granted his freedom. In March of 1857, the United States Supreme Court declared that all Blacks - slave as well as free - were not and could never become citizens of the United States. Since Scott was not a citizen, he had no right to sue; and

WHEREAS, European and African nations have apologized for their roles in what history calls the worst holocaust of humankind, the Atlantic Slave Trade; and

WHEREAS, racial reconciliation is difficult to achieve without some acknowledgment of the moral and legal injustices perpetrated upon African Americans; and

WHEREAS, an apology for over 145 years of brutal injustices that occurred in Missouri cannot erase the past, but acknowledgment of the wrongs can speed racial healing and reconciliation and help African Americans and White citizens confront their collective pasts together; and

WHEREAS, the story of the enslavement of Africans and their descendants, the human carnage, and the dehumanizing atrocities committed during slavery should not be removed from Missouri's history or discounted; moreover, the efforts of abolitionists in the State to end slavery, and the faith, perseverance, hope, and endless triumphs of African Americans and their significant contributions to the development of this State and the nation should be embraced, celebrated, and retold for generations to come; and

WHEREAS, the long-term effects of slavery for many African Americans could be assuaged and the principles espoused by the Founding Fathers would be affirmed, and great strides toward unifying all Missourians and inspiring the nation to acquiesce might be accomplished if the State of Missouri acknowledged its role in the slavery of Africans:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby formally apologize for the State of Missouri's role in slavery.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 923**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 43

WHEREAS, Missouri needs a foundational, centralized, guiding document that clarifies the state's interpretation of existing laws and practices relating to educating children who are deaf and hard of hearing; and

WHEREAS, Missouri needs to clarify standard educational principles for educators and administrators, and to provide ongoing direction to policymakers so that children who are deaf and hard of hearing will not be left behind in our educational system; and

WHEREAS, deaf and hard of hearing children have the same right and potential to become as independent and self-actualizing as their hearing peers:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby endorse the "Deaf and Hard of Hearing Children's Bill of Rights" as follows:

(1) Children who are deaf or hard of hearing are entitled to appropriate screening and assessment of hearing capabilities, communication, and language needs at the earliest possible age and to the continuation of screening services throughout the educational experience;

(2) Children who are deaf or hard of hearing are entitled to early intervention to provide for acquisition of solid language bases developed at the earliest possible age;

(3) Children who are deaf or hard of hearing are entitled to their parents' or guardians' full and informed participation in their educational planning;

(4) Children who are deaf or hard of hearing benefit from interaction with adult role models who are deaf or hard of hearing;

(5) Children who are deaf or hard of hearing benefit from interacting with their deaf, hard of hearing, and hearing peers;

(6) Children who are deaf or hard of hearing are entitled to qualified teachers, interpreters, and resource personnel who communicate effectively with each child in that child's preferred mode of communication;

(7) Children who are deaf or hard of hearing are entitled to placement best suited to each child's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the child's age, degree of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support;

(8) Children who are deaf or hard of hearing are entitled to individual considerations for free, appropriate education across a full spectrum of educational programs;

(9) Children who are deaf or hard of hearing are entitled to full support services provided by qualified professionals in their educational settings;

(10) Children who are deaf or hard of hearing are entitled to full access to all programs in their educational settings;

(11) Children who are deaf or hard of hearing are entitled to have the public fully informed concerning medical, cultural, and linguistic issues of deafness and hearing loss;

(12) Children who are deaf or hard of hearing benefit by having deaf and hard of hearing adults involved in determining the extent, content, and purpose of programs that affect their education; and

(13) Children who are deaf or hard of hearing are entitled to free and unrestricted communication with others who communicate in their same language mode. The child's preferred mode of communication should be respected in order to attain the highest education possible for that individual in an appropriate environment; and

BE IT FURTHER RESOLVED that notwithstanding any of the above principles, nothing in this resolution shall require:

(1) Individual school districts to ensure the availability of a specific number of deaf or hard of hearing peers;
or

(2) Parents to abrogate their statutory rights to educational choice; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 244**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 331**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 872**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 932**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1089**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 127**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 172**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 198**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 218**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 406**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 48 - Transportation

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 31 - Special Committee on General Laws

HJR 33 - Special Committee on General Laws

HJR 34 - Special Committee on General Laws

REFERRAL HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 98 - Fiscal Review (Fiscal Note)

HB 916 - Fiscal Review (Fiscal Note)

HCS HBs 952 & 674 - Fiscal Review (Fiscal Note)

HB 236 - Transportation

HB 436 - Judiciary

HB 437 - Transportation
HB 473 - Special Committee on Family Services
HB 474 - Judiciary
HB 475 - Judiciary
HB 476 - Judiciary
HB 585 - Judiciary
HB 670 - Crime Prevention and Public Safety
HB 683 - Judiciary
HB 760 - Local Government
HB 885 - Crime Prevention and Public Safety
HB 1115 - Special Committee on Financial Institutions
HB 1202 - Transportation
HB 1232 - Elementary and Secondary Education
HB 1237 - Transportation

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 8 - Elementary and Secondary Education

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 16 - Fiscal Review (Fiscal Note)
HCS SB 30 - Fiscal Review (Fiscal Note)
HCS SCS SB 64 - Fiscal Review (Fiscal Note)
HCS SCS SB 308 - Fiscal Review (Fiscal Note)
HCS#2 SB 406 - Fiscal Review (Fiscal Note)
SS SCS SB 3 - Health Care Policy
SCS SB 4 - Health Care Policy
SCS SBs 45 & 39 - Transportation
SCS SB 52 - Transportation
SB 107 - Crime Prevention and Public Safety
SS#2 SCS SB 129 - Local Government
SB 130 - Local Government
SB 132 - Elementary and Secondary Education
SB 133 - Judiciary
SCS SB 137 - Special Committee on Retirement
SB 138 - Elections
SB 140 - Elementary and Secondary Education
SCS SB 150 - Judiciary
SB 162 - Special Committee on Government Affairs
SB 171 - Special Committee on Professional Registration and Licensing
SB 184 - Local Government
SCS SBs 199 & 207 - Ways and Means

SS SCS SBs 239, 24 & 445 - Special Committee on Tax Reform
SB 264 - Local Government
SB 268 - Special Committee on Retirement
SB 269 - Crime Prevention and Public Safety
SCS SB 299 - Local Government
SB 306 - Special Committee on General Laws
SS SCS SB 320 - Agriculture Policy
SB 323 - Special Committee on Family Services
SCS SB 333 - Health Care Policy
SB 334 - Local Government
SB 338 - Judiciary
SB 345 - Local Government
SCS SB 369 - Crime Prevention and Public Safety
SCS SB 393 - Local Government
SB 398 - Judiciary
SS SB 417 - Special Committee on Agri-Business
SCS SB 418 - Special Committee on Senior Citizen Advocacy
SB 419 - Conservation and Natural Resources
SB 426 - Judiciary
SB 478 - Special Committee on General Laws
SCS SB 482 - Special Committee on Professional Registration and Licensing
SB 488 - Agriculture Policy
SCS SB 497 - Special Committee on Government Affairs
SB 498 - Special Committee on Professional Registration and Licensing
SB 502 - Corrections and Public Institutions
SB 509 - Special Committee on Professional Registration and Licensing
SB 510 - Local Government
SB 513 - Special Committee on Professional Registration and Licensing
SB 516 - Judiciary
SCS SB 525 - Special Committee on Professional Registration and Licensing
SCS SB 526 - Special Committee on Professional Registration and Licensing
SCS SB 530 - Health Care Policy
SB 549 - Transportation
SB 550 - Crime Prevention and Public Safety
SS SCS SB 577 - Special Committee on Healthcare Facilities
SB 582 - Ways and Means
SB 605 - Local Government
SCS SB 638 - Local Government
SB 666 - Special Committee on Veterans

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 19, introduced by Representative Icet, to appropriate money to the Office of Administration, University of Missouri, Linn State Technical College, Missouri State University, Department of Natural Resources, and the Department of Conservation, for planning, design, survey, appraisal, construction expenses, building purchases, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, to be expended only for the following projects and sites: playgrounds at Cedar Ridge State School for the Severely Handicapped in Nevada and New Dawn State School for the Severely Handicapped in Sikeston, study options for the Missouri School for the Blind campus facilities in St. Louis, vocational technical schools in Monett, Columbia, Camdenton, Carthage, Eldon and Mexico, education center at Perryville, new state office building in Cape Girardeau County, new facility for the State Historical Society, heavy equipment technology facility at Linn State Technical School, joint engineering program at Missouri State University and University of Missouri-Rolla campus, infrastructure development of new ports, planning and design of new surplus property facility, redevelopment of the Missouri State Penitentiary site, Environmental Control Center in Jefferson City, land purchases adjacent to the Missouri State Fairgrounds and state parks, Missouri State Fairgrounds improvements, interpretive sites at state parks, State Parks historic properties, Jackson County court house, conservation lake, stream and land sites, welcome centers in Joplin and Bethany, statewide interoperable communication system, drivers licensing facility in Hannibal, crime labs in Springfield and Jasper County, marine shop in Jefferson City, Cape Girardeau Veterans Home, emergency generators at veterans homes, National Guard facilities and environmental compliance projects at non-armory facilities, Ozark Correctional Center, community supervision centers, multi-purpose building at Delmina Woods Park Camp, a new dormitory and water tower at the W.E. Sears Youth Center, from the funds designated for the fiscal period beginning July 1, 2007 and ending June 30, 2009.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 21**, entitled:

An act to repeal sections 393.829 and 432.070, RSMo, and to enact in lieu thereof thirty-nine new sections relating to reorganized common sewer districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 85**, entitled:

An act to repeal sections 195.010, 195.017, and 195.417, RSMo, and to enact in lieu thereof eleven new sections relating to monitoring of drugs, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 313**, entitled:

An act to repeal sections 700.010, 700.045, 700.056, 700.065, 700.070, 700.090, 700.100, 700.115, 700.450, 700.455, 700.460, 700.465, 700.470, and 700.650, RSMo, and to enact in lieu thereof thirteen new sections relating to manufactured homes, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 429**, entitled:

An act to repeal sections 191.225, 431.056, 565.072, 595.030, and 595.209, RSMo, and to enact in lieu thereof seventeen new sections relating to crime victims, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 433**, entitled:

An act to repeal section 288.042, RSMo, and to enact in lieu thereof one new section relating to veterans' unemployment compensation.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Meadows.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 2:00 p.m., Monday, April 16, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fifth Day, Wednesday, April 11, 2007, Page 1058, Line 31, by deleting the words "**Do Pass**", and inserting in lieu thereof the words "**Do Pass - Not Consent**".

AFFIDAVITS

I, State Representative Steve Hodges, District 161, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS HB 945 as recorded in the House Journal for April 12, 2007 showing that I did not vote was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of April 2007.

/s/ Steve Hodges
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of April in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Charlie Norr, District 137, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS HB 945 as recorded in the House Journal for April 12, 2007 showing that I did not vote was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of April 2007.

/s/ Charlie Norr
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of April in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative David Sater, District 68, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS HB 227 as recorded in the House Journal for April 12, 2007 showing that I did not vote was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of April 2007.

/s/ David Sater
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of April in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Tom Shively, District 8, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS HB 945 as recorded in the House Journal for April 12, 2007 showing that I did not vote was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of April 2007.

/s/ Tom Shively
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of April in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Billy Pat Wright, District 159, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS HB 945 as recorded in the House Journal for April 12, 2007 showing that I did not vote was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of April 2007.

/s/ Billy Pat Wright
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of April in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 3.

Select programs from the Department of Elementary and Secondary Education.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCR 45, HB 703

ELECTIONS

Tuesday, April 17, 2007, 9:00 a.m. Hearing Room 5.

Executive session.

FISCAL REVIEW

Monday, April 16, 2007, Hearing Room 4 upon evening adjournment.

Any bills that are in this Committee.

HEALTH CARE POLICY

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1067, HB 682, HB 1061, HB 463

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Tuesday, April 17, 2007, 1:30 p.m. Bingham Conference Room.

Department Update - Information Only.

JUDICIARY

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1135, SCS SB 67, SCS SB 163, SB 481

LOCAL GOVERNMENT

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1091, HB 1136, HB 1058, SS SCS SB 22

RULES

Monday, April 16, 2007, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: SCR 5

RULES - PURSUANT TO RULE 25(21)(f)

Monday, April 16, 2007, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HJR 12, HR 1678, HB 646, HCS HB 630, HCS#2 HB 735, HCS HB 347, HCS HB 919, HCS HB 18, HCS HB 17, HCS HB 442, HCS HB 1023, HCS HB 1264, SCS SB 456, SS SCS SB 591, SCS SB 46, HCS SS SB 112, HCS SCS SB 520, HCS SB 25, HCS SB 84, SS SCS SB 215, HCS SCS SB 232, SCS SB 91, HCS SCS SB 384, SCS SB 420, SB 238, SB 200, SB 223, SB 135, SB 352

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, April 17, 2007, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearing to be held on: SCS SB 328

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Monday, April 16, 2007, Hearing Room 7 upon afternoon adjournment.

Working session on Medicaid Reform.

There will be several presentations, including the DME proposal and CCIP.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 17, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid Reform.

This session will focus on hospitals, ASO's, and managed care.

If you would like to testify call 573-751-2183. AMENDED

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 18, 2007, 12:00 p.m. To be announced.

Working session on Medicaid Reform.

This session will include long-term care, partnership, premium offset, and various other topics.

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 7.

Executive session.

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 1052, HB 1272, HB 1281

SPECIAL COMMITTEE ON VETERANS

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 612, HB 1250

HOUSE CALENDAR

FIFTY-SEVENTH DAY, MONDAY, APRIL 16, 2007

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 19

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HCS HB 466 - Schaaf

- 6 HCS HB 771 - Bearden
- 7 HCS HBs 180, 396 & 615 - Day
- 8 HCS HB 238 - Yates
- 9 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 10 HCS HB 788 - Cooper (155)
- 11 HCS HB 218 - Stevenson
- 12 HCS HB 811 - Schad
- 13 HB 412 - Emery
- 14 HB 215 - Stevenson
- 15 HB 432 - Schaaf
- 16 HCS HB 699 - Tilley
- 17 HCS HB 768 - St. Onge
- 18 HCS HB 122 - Nance
- 19 HCS HB 845 - Dixon
- 20 HCS HB 487 - Cooper (120)
- 21 HCS HB 493 - Baker (123)
- 22 HCS HB 512 - Pratt
- 23 HCS HB 261, as amended - Yates
- 24 HB 746 - Franz
- 25 HB 882 - Page
- 26 HCS HB 1002 - Fisher
- 27 HCS HB 124 - Nance
- 28 HB 134 - Guest
- 29 HCS HB 765, HA 1, pending - Dempsey
- 30 HCS HBs 807 & 690 - Baker (123)
- 31 HCS HB 121 - Nance
- 32 HB 249 - Moore
- 33 HCS HB 252 - Robb
- 34 HCS HB 417 - Cunningham (86)
- 35 HCS HB 478 - Dethrow
- 36 HCS HB 490 - Baker (123)
- 37 HCS HB 508 - Schaaf
- 38 HCS HB 709 - Dethrow
- 39 HB 821 - Onder
- 40 HCS HB 995 - Hobbs
- 41 HCS#2 HB 85 - Kraus
- 42 HCS HB 399 - Walton
- 43 HCS HB 624 - Wilson (119)
- 44 HCS#2 HB 752 - Sutherland
- 45 HCS HB 1000 - Storch
- 46 HCS HB 1044 - Deeken
- 47 HCS HB 244 - Wells
- 48 HCS HB 461 - Cooper (155)
- 49 HCS HB 587 - Tilley
- 50 HCS HB 628 - Loehner
- 51 HCS HB 629 - Hunter
- 52 HB 647 - Young

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- 53 HCS HB 872 - Cooper (158)
- 54 HCS HB 913 - Cooper (120)
- 55 HB 932 - Grill
- 56 HCS HB 1055 - Sander (3 hours debate on Perfection)
- 57 HCS HB 948 - Schaaf
- 58 HCS HB 1089 - Stevenson

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HCS HB 827, (Fiscal Review 4-03-07) - Muschany
- 3 HCS HB 891, (Fiscal Review 4-04-07) - Kratky
- 4 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
- 5 HCS HB 159, (Fiscal Review 4-05-07) - Bivins
- 6 HCS HB 329 - Cunningham (145)
- 7 HCS HBs 952 & 674, (Fiscal Review 4-12-07) - Wilson (130)
- 8 HCS HB 98, (Fiscal Review 4-12-07) - Parson
- 9 HB 916, (Fiscal Review 4-12-07) - Dougherty
- 10 HB 801 - Kraus
- 11 HCS HB 343 - Munzlinger

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 21
- 2 SS SCS SB 85
- 3 SCS SB 313
- 4 SS SCS SB 429
- 5 SB 433

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07) - Page

SENATE BILLS FOR THIRD READING - CONSENT

(4/06/07)

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken

(4/12/07)

HCS SB 322 - Cooper (158)

(4/16/07)

- 1 HCS SB 166 - Wood
- 2 SB 172 - Flook
- 3 HCS SB 270 - Jones (117)
- 4 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 5 SB 298 - Schaaf
- 6 SCS SB 397 - Schaaf
- 7 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 SCS SB 16, (Fiscal Review 4-12-07) - Pearce
- 2 HCS SB 30, (Fiscal Review 4-12-07), E.C. - Stevenson
- 3 HCS SCS SB 64, (Fiscal Review 4-12-07), E.C. - Wallace
- 4 HCS SB 81 - Schlottach
- 5 HCS SCS SB 198 - Pollock
- 6 SB 233 - Stevenson
- 7 HCS SCS SB 308, (Fiscal Review 4-12-07) - Wasson
- 8 HCS SB 376, E.C. - Wood
- 9 HCS#2 SB 406, (Fiscal Review 4-12-07) - Wallace
- 10 HCS SB 416 - Pratt

SENATE CONCURRENT RESOLUTION

SCR 18, (4-12-07) - Deeken

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, MONDAY, APRIL 16, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

O LORD our Lord, how excellent Your name in all the earth!

With Your help we have the power to say no to distractions that keep trying to steal our time with You, our family and our daily responsibilities here in this place. May we remain focused and effectual, completing the job ahead.

Teach us to see what we still don't see, grant us the boldness to say what must be said and the courage to do what must be done in fulfillment of what is best for this state. Whatever mistakes we may have made, by Your grace and mercy, we will do them no more.

May our service, to this state and its populace, be credible and God honoring; our lives firmly rooted in truth.

May we, as good leaders, detest wrongdoing of all kinds; protecting a strong moral foundation of honor, integrity and excellence.

Now may the Lord of peace continually grant us peace in every circumstance. The grace of the Lord Jesus Christ be with us always. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-sixth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1854 through House Resolution No. 2014

HOUSE CONCURRENT RESOLUTION

Representative Sutherland offered House Concurrent Resolution No. 56.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 19 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 21, SS SCS SB 85, SCS SB 313, SS SCS SB 429 and SB 433 were read the second time.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SS HCS HB 453** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS HCS HB 453** was delivered to the Governor by the Chief Clerk of the House.

PERFECTION OF HOUSE BILL

HCS HB 845, relating to voter registration, was taken up by Representative Dixon.

Representative Dixon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 845, Page 1, Section 115.164, Line 3, by deleting the word "**every**" and inserting in lieu thereof the word "**the**"; and

Further amend said substitute, Page 1, Section 115.164, Line 3, by deleting the first occurrence of the word "**the**" and inserting in lieu thereof the following:

"**each**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dixon, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 845, Page 1, Section 115.164, Line 11, by inserting after all of said line the following:

"Section 1. All broadcasts produced by or for the department of conservation shall include an announcement designed to inform viewers or listeners of the broadcast how to obtain a voter registration application."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hobbs assumed the Chair.

Representative Talboy moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Aull	Avery	Baker 25	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Johnson	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Nasheed	Norr	Oxford
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Yaeger
Zimmerman	Zweifel			

NOES: 092

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Young	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 014

Bland	Bowman	Brown 30	Bruns	Cooper 155
Haywood	Hughes	Kratky	Marsh	May
Meadows	Page	Walton	Wright-Jones	

Representative Low (39) offered **House Amendment No. 3**.

Representative Smith (150) raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Hobbs requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Brown (50) offered **House Amendment No. 4**.

Representative Smith (150) raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Hobbs requested a parliamentary ruling.

Speaker Pro Tem Bearden assumed the Chair.

The Chair ruled the point of order well taken.

Representative LeVota offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 845, Page 1, Section 115.164, Line 11, by inserting after all of said line the following:

"The department of conservation shall make available an option on the application for resident hunting and fishing permits that will allow hunting and fishing permit applicants to refuse mailing of the voter application to such applicant."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative LeVota moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Donnelly
Dougherty	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Young
Zimmerman	Zweifel			

NOES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117

Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Bland	Bowman	Brown 30	Bruns
El-Amin	Hughes	Kratky	Meadows	Wright-Jones

Representative Lampe offered **House Amendment No. 6.**

Representative Smith (150) raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Low (39) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 845, Page 1, Section 115.164, Line 11, by inserting after all of said line the following:

"Any voter being mailed such form and who does not subsequently complete the voter registration shall receive no more than one form every two years."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Low (39) moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively

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Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	Zweifel

NOES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Viebrock
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bowman	Brown 30	Bruns	Curls
El-Amin	Hubbard	Hughes	Kratky	Spreng
Tilley	Wright-Jones			

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Guest	Hobbs	Ice
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson

Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 055

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	Fallert	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Johnson	Komo	Kuessner	Lampe	LeVota
Liese	Low 39	McClanahan	Meadows	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Whorton
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 001

Frame

ABSENT WITH LEAVE: 022

Bland	Bowman	Brown 30	Bruns	Curls
Deeken	El-Amin	Grisamore	Hubbard	Hughes
Hunter	Kratky	Lowe 44	Meiners	Quinn 7
Spreng	St. Onge	Walsh	Walton	Wright-Jones
Yates	Young			

On motion of Representative Dixon, **HCS HB 845, as amended**, was adopted.

On motion of Representative Dixon, **HCS HB 845, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HB 801, relating to telecommunications, was taken up by Representative Kraus.

On motion of Representative Kraus, **HB 801** was read the third time and passed by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 50	Burnett	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Haywood	Hobbs	Hodges	Hoskins	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery

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Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 015

Bringer	Chappelle-Nadal	Harris 110	Holsman	Hunter
Kuessner	Oxford	Robinson	Rucker	Skaggs
Swinger	Talboy	Todd	Whorton	Witte

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bowman	Brown 30	Bruns	El-Amin
Hubbard	Hughes	Kratky	Lowe 44	Spreng
Wright-Jones				

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 343, relating to hazardous substances, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 343** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May

McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Nasheed	Roorda	Salva	Wildberger
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PRESENT: 002

Oxford	Threlkeld
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ABSENT WITH LEAVE: 007

Bowman	Brown 30	Bruns	Curls	Hughes
Kratky	Wright-Jones			

Speaker Pro Tem Bearden declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 327**, entitled:

An act to repeal sections 32.105, 32.115, 100.286, 135.460, 135.478, 135.500, 135.535, 135.545, 135.550, 135.600, 135.630, 135.750, 135.950, 135.963, 135.967, 135.1150, 144.030, 144.605, 147.010, 173.196, 173.796, 178.895, 178.896, 208.750, 348.300, 620.495, 620.638, 620.1039, 620.1878, and 620.1881, RSMo, and to enact in lieu thereof thirty-nine new sections relating to certain programs administered by the department of economic development, with an emergency clause for certain sections.

With Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16, Senate Amendment No. 17, Senate Amendment No. 18, Senate Amendment No. 19, Senate Amendment No. 20, Senate Substitute Amendment No. 1 for Senate Amendment No. 22, Senate Amendment No. 23, Senate Amendment No. 24, Senate Amendment No. 25, Senate Amendment No. 2 to Senate Amendment No. 27, Senate Amendment No. 27, as amended, Senate Amendment No. 28 and Senate Amendment No. 29.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 100, Section 144.030, Line 20, by inserting immediately after the word "property" the following:

"and utilities"; and further amend Line 22, by inserting immediately after the word "of" the following:

"agricultural, biotechnology and plant genomics products, and"; and

Further amend said bill and section, Page 102, Lines 3-18, by striking all of said lines; and

Further renumber the remaining subdivisions accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 46, Section 135.562, Line 5, by inserting after the word "year." the following:

"No taxpayer shall be eligible to receive tax credits under this section in any tax year immediately following a tax year in which such taxpayer received tax credits under the provisions of this section."; and

Further amend said bill, section and page, Lines 23-26, by striking all of said lines and inserting in lieu thereof the following:

"an amount sufficient to offset any amount of such costs a taxpayer has already deducted from such taxpayer's federal adjusted gross income or to the extent such taxpayer has applied any other state or federal income tax credit to such costs.".

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 87, Section 135.1150, Line 14, by inserting after all of said line the following:

"137.106. 1. This section may be known and may be cited as "The Missouri Homestead Preservation Act".

2. As used in this section, the following terms shall mean:

(1) "Department", the department of revenue;

(2) "Director", the director of revenue;

(3) "Disabled", as such term is defined in section 135.010, RSMo;

(4) "Eligible owner", any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the individual is claiming the credit or who is disabled, and who had an income of equal to or less than the maximum upper limit in the year prior to completing an application pursuant to this section; or

(a) In the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered an eligible taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year prior to completing an application pursuant to this section did not exceed the maximum upper limit; or

(b) In the case of joint ownership by unmarried persons or ownership by tenancy in common by two or more unmarried persons, such owners shall be considered an eligible owner if each person with an ownership interest individually satisfies the eligibility requirements for an individual eligible owner under this section and the combined income of all individuals with an interest in the property is equal to or less than the maximum upper limit in the year prior to completing an application under this section. If any individual with an ownership interest in the property fails to satisfy the eligibility requirements of an individual eligible owner or if the combined income of all individuals with interest in the property exceeds the maximum upper limit, then all individuals with an ownership interest in such property shall be deemed ineligible owners regardless of such other individual's ability to individually meet the eligibility requirements; or

(c) In the case of property held in trust, the eligible owner and recipient of the tax credit shall be the trust itself provided the previous owner of the homestead or the previous owner's spouse: is the settlor of the trust with respect to the homestead; currently resides in such homestead; and but for the transfer of such property would have satisfied the age, ownership, and maximum upper limit requirements for income as defined in subdivisions (7) and (8) of this subsection;

No individual shall be an eligible owner if the individual has not paid their property tax liability, if any, in full by the payment due date in any of the three prior tax years, except that a late payment of a property tax liability in any prior year shall not disqualify a potential eligible owner if such owner paid in full the tax liability and any and all penalties, additions and interest that arose as a result of such late payment; no individual shall be an eligible owner if such person filed a valid claim for the senior citizens property tax relief credit pursuant to sections 135.010 to 135.035, RSMo;

(5) "Homestead", as such term is defined pursuant to section 135.010, RSMo, except as limited by provisions of this section to the contrary. No property shall be considered a homestead if such property was improved since the most recent annual assessment by more than five percent of the prior year appraised value, except where an eligible owner of the property has made such improvements to accommodate a disabled person;

(6) "Homestead exemption limit", a percentage increase, rounded to the nearest hundredth of a percent, which shall be equal to the percentage increase to tax liability, not including improvements, of a homestead from one tax year to the next that exceeds a certain percentage set pursuant to subsection 10 of this section. For applications filed in 2005 or 2006, the homestead exemption limit shall be based on the increase to tax liability from 2004 to 2005. For applications filed between April 1, 2005, and September 30, 2006, an eligible owner, who otherwise satisfied the requirements of this section, shall not apply for the homestead exemption credit more than once during such period. For applications filed after 2006, the homestead exemption limit shall be based on the increase to tax liability from two years prior to application to the year immediately prior to application;

(7) "Income", federal adjusted gross income, and in the case of ownership of the homestead by trust, the income of the settlor applicant shall be imputed to the income of the trust for purposes of determining eligibility with regards to the maximum upper limit;

(8) "Maximum upper limit", in the calendar year 2005, the income sum of seventy thousand dollars; in each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined pursuant to article X, section 17 of the Missouri Constitution.

3. Pursuant to article X, section 6(a) of the Constitution of Missouri, if in the prior tax year, the property tax liability on any parcel of subclass (1) real property increased by more than the homestead exemption limit, without regard for any prior credit received due to the provisions of this section, then any eligible owner of the property shall receive a homestead exemption credit to be applied in the current tax year property tax liability to offset the prior year increase to tax liability that exceeds the homestead exemption limit, except as eligibility for the credit is limited by the provisions of this section. The amount of the credit shall be listed separately on each taxpayer's tax bill for the current tax year, or on a document enclosed with the taxpayer's bill. The homestead exemption credit shall not affect the process of setting the tax rate as required pursuant to article X, section 22 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent tax year.

4. If application is made in 2005, any potential eligible owner may apply for the homestead exemption credit by completing an application through their local assessor's office. Applications may be completed between April first and September thirtieth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided to the assessor's office by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property; and
- (4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value. The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the two prior tax years.

5. If application is made in 2005, the assessor, upon request for an application, shall:

- (1) Certify the parcel number and owner of record as of January first of the homestead, including verification of the acreage classified as residential on the assessor's property record card;
- (2) Obtain appropriate prior tax year levy codes for each homestead from the county clerks for inclusion on the form;

(3) Record on the application the assessed valuation of the homestead for the current tax year, and any new construction or improvements for the current tax year; and

(4) Sign the application, certifying the accuracy of the assessor's entries.

6. If application is made after 2005, any potential eligible owner may apply for the homestead exemption credit by completing an application. Applications may be completed between April first and October fifteenth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

(1) To the applicant's age;

(2) That the applicant's prior year income was less than the maximum upper limit;

(3) To the address of the homestead property;

(4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value; and

(5) The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the three prior tax years.

7. Each applicant shall send the application to the department by September thirtieth of each year for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the application was completed.

8. If application is made in 2005, upon receipt of the applications, the department shall calculate the tax liability, adjusted to exclude new construction or improvements verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant has also filed a valid application for the senior citizens property tax credit, pursuant to sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit, and provide a list of all verified eligible owners to the county collectors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county collectors or county clerks in counties with a township form of government shall provide a list to the department of any verified eligible owners who failed to pay the property tax due for the tax year that ended immediately prior. Such eligible owners shall be disqualified from receiving the credit in the current tax year.

9. If application is made after 2005, upon receipt of the applications, the department shall calculate the tax liability, verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant also has filed a valid application for the senior citizens property tax credit under sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit and provide a list of all verified eligible owners to the county assessors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county assessors shall provide a list to the department of any verified eligible owners who made improvements not for accommodation of a disability to the homestead and the dollar amount of the assessed value of such improvements. If the dollar amount of the assessed value of such improvements totaled more than five percent of the prior year appraised value, such eligible owners shall be disqualified from receiving the credit in the current tax year.

10. The director shall calculate the level of appropriation necessary to set the homestead exemption limit at five percent when based on a year of general reassessment or at two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year. **For all years after 2007, the director shall calculate the levels of appropriation necessary to set the homestead exemption limit anywhere between one hundredth of one percent and five percent when based on a year of general reassessment or anywhere between one hundredth of one percent and two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year.**

11. For applications made in 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the

homestead exemption credit in the immediately prior tax year, would cause all but one-quarter of one percent of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. The remaining one-quarter of one percent shall be distributed to the county assessment funds of each county on a proportional basis, based on the number of eligible owners in each county; such one-quarter percent distribution shall be delineated in any such appropriation as a separate line item in the total appropriation. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

12. After setting the homestead exemption limit for applications made in 2005, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation and assessment fund allocation to the county collector's funds of each county or the treasurer ex officio collector's fund in counties with a township form of government where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued, plus the one-quarter of one percent distribution for the county assessment funds. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section plus the one-quarter of one percent distribution for the county assessment funds. Funds, at the direction of the county collector or the treasurer ex officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or the treasurer ex officio collector's fund or may be sent by mail to the collector of a county, or the treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued. In counties with a township form of government, the county clerk shall provide the treasurer ex officio collector a summary of the homestead exemption credit for each township for the purpose of distributing the total homestead exemption credit to each township collector in a particular county.

13. If, in any given year after 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

14. After setting the homestead exemption limit for applications made after 2005, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation to the county collector's fund of each county where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section. Funds, at the direction of the collector of the county or treasurer ex officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or may be sent by mail to the collector of a county, or treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued.

15. The department shall promulgate rules for implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with

the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. Any rule promulgated by the department shall in no way impact, affect, interrupt, or interfere with the performance of the required statutory duties of any county elected official, more particularly including the county collector when performing such duties as deemed necessary for the distribution of any homestead appropriation and the distribution of all other real and personal property taxes.

16. In the event that an eligible owner dies or transfers ownership of the property after the homestead exemption limit has been set in any given year, but prior to January first of the year in which the credit would otherwise be applied, the credit shall be void and any corresponding moneys, pursuant to subsection 12 of this section, shall lapse to the state to be credited to the general revenue fund. In the event the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government determines prior to issuing the credit that the individual is not an eligible owner because the individual did not pay the prior three years' property tax liability in full, the credit shall be void and any corresponding moneys, under subsection 11 of this section, shall lapse to the state to be credited to the general revenue fund.

17. This section shall apply to all tax years beginning on or after January 1, 2005. This subsection shall become effective June 28, 2004.

18. In accordance with the provisions of sections 23.250 to 23.298, RSMo, and unless otherwise authorized pursuant to section 23.253, RSMo:

(1) Any new program authorized under the provisions of this section shall automatically sunset six years after the effective date of this section; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 62, Section 135.662, Line 26, by inserting immediately after all of said line the following:

"135.710. 1. As used in this section, the following terms mean:

(1) **"Alternative fuels", any motor fuel at least seventy percent of the volume of which consists of one or more of the following:**

(a) **Ethanol;**

(b) **Natural gas;**

(c) **Compressed natural gas;**

(d) **Liquified natural gas;**

(e) **Liquified petroleum gas;**

(f) **Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;**

(2) **"Department", the department of natural resources;**

(3) **"Eligible applicant", a business entity that is the owner of a qualified alternative fuel vehicle refueling property;**

(4) **"Qualified alternative fuel vehicle refueling property", property in this state owned by a firm or corporation and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such firm or corporation or private citizens.**

2. For all tax years beginning on or after January 1, 2008, but before January 1, 2011, any eligible applicant who installs and operates a qualified alternative fuel vehicle refueling property shall be allowed a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or due under chapter 147, RSMo, or chapter 148, RSMo, for any tax year in which the applicant is constructing the refueling property. The credit allowed in this section per eligible applicant shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment on any qualified alternative fuel vehicle refueling property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified alternative fuel vehicle refueling property;

(2) Costs associated with the purchase of an existing qualified alternative fuel vehicle refueling property;
or

(3) Costs for the construction or purchase of any structure.

3. The tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing facilities were placed in service at a qualified alternative fuel vehicle refueling property, and shall be applied against the income tax liability imposed by chapter 143, RSMo, chapter 147, RSMo, or chapter 148, RSMo, after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed the following amounts:

- (1) In taxable year 2008, three million dollars;
- (2) In taxable year 2009, two million dollars; and
- (3) In taxable year 2010, one million dollars.

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. An alternative fuel vehicle refueling property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the alternative fuel vehicle refueling property ceased to sell alternative fuel and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

9. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill, Page 88, Section 143.006, Line 19, by inserting immediately after all of said line the following:

"143.114. 1. As used in this section, the following terms mean:

(1) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(2) "Qualified hybrid motor vehicle", any motor vehicle licensed under chapter 301, RSMo, and:

(a) Which meets the definition of new qualified hybrid motor vehicle in section 30B(d)(3)(A) of the Internal Revenue Code of 1986, as amended;

(b) The original use of which commences with the taxpayer; and

(c) Which is acquired for use by the taxpayer and not for resale.

2. For the tax year beginning on January 1, 2008, any taxpayer who purchases a qualified hybrid vehicle shall be allowed to subtract from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income, for the tax year in which the taxpayer purchases the vehicle, an amount equal to one thousand five hundred dollars or ten percent of the purchase price of the vehicle, whichever is less.

3. The director of revenue shall establish the procedure by which the deduction in this section may be claimed, and shall promulgate rules to provide for the submission of documents by the taxpayer proving the purchase price and date of the qualified hybrid motor vehicle and to implement the provisions of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

143.128. 1. For purposes of this section the term "E-85 gasoline" shall mean ethanol blended gasoline formulated with a minimum percentage of between seventy-five and eighty-five percent by volume of ethanol, "biodiesel" shall mean fuel as defined in ASTM Standard D-6751 or its subsequent standard specifications for biodiesel fuel (B100) blend stock for distillate fuels, and "biodiesel-blended fuel" shall mean a blend of biodiesel and conventional diesel fuel. For all tax years beginning on or after January 1, 2008, a taxpayer who purchases E-85 gasoline, biodiesel, or biodiesel-blended fuel in a tax year shall be allowed to claim a tax credit against the tax otherwise due under this chapter, excluding sections 143.191 to 143.265, in the following amounts:

(1) For calendar year 2008, the amount of the credit shall be equal to twenty-five cents per gallon of E-85 gasoline or equal to five cents per gallon of biodiesel or biodiesel-blended fuel purchased by the taxpayer;

(2) For calendar years 2009 and 2010, the amount of the credit shall be equal to twenty cents per gallon of E-85 gasoline or equal to three cents per gallon of biodiesel or biodiesel-blended fuel purchased by the taxpayer;

(3) For calendar year 2011 and each subsequent calendar year, the amount of the credit shall be equal to fifteen cents per gallon of E-85 gasoline or equal to five cents per gallon of biodiesel or biodiesel-blended fuel purchased by the taxpayer.

2. The amount of credits claimed per taxpayer annually shall not exceed five hundred dollars. The minimum amount of tax credits a taxpayer may claim shall not be less than fifty dollars. A taxpayer shall claim the credit allowed by this section at the time such taxpayer files a return. In the event the amount of the tax credit provided under this section exceeds a taxpayer's income tax liability, no refund shall result, but such excess tax credits may be carried forward to any of the taxpayer's three subsequent tax years. The aggregate amount of tax credits which may be redeemed in any fiscal year shall not exceed five hundred thousand dollars. The tax credit shall be available regardless of whether the taxpayer opts to take a standard deduction. The department of revenue is authorized to adopt any rule or regulations deemed necessary for the effective administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

3. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

4. Nothing in this section shall be construed as authorizing, approving, or condoning the violation of a motor vehicle manufacturer's stated warranty with regard to recommended fuel use."; and

Further amend said bill, Section 144.030, Page 92, Line 23, by inserting immediately after the word "RSMo." the following:

"There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials."; and

Further amend said bill and section, Page 102, Line 24, by striking the word "and"; and

Further amend said bill and section, Page 103, Line 6, by inserting immediately after the word "event" the following:

**"; and
(40) Sales of new diesel-powered motor vehicles with a gross vehicle rating not exceeding eight thousand five hundred pounds";** and

Further amend said bill, Section 144.054, Page 104, Line 4, by inserting immediately after all of said line the following:

"144.061. For fiscal year 2008, there shall hereby be exempted from state sales tax, sales of new motor vehicles designed to operate on eighty-five percent ethanol fuel."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 115, Section 178.715, Line 16, by inserting immediately after the word "Mississippi," the following:

"Cape Girardeau, Bollinger,".

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327 Page 2, Section A, Line 2 of said page, by inserting after all of said line the following:

"21.750. 1. The general assembly hereby occupies and preempts the entire field of legislation touching in any way firearms, components, ammunition and supplies to the complete exclusion of any order, ordinance or regulation by any political subdivision of this state. Any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void except as provided in subsection 3 of this section.

2. No county, city, town, village, municipality, or other political subdivision of this state shall adopt any order, ordinance or regulation concerning in any way the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permit, registration, taxation other than sales and compensating use taxes or other controls on firearms, components, ammunition, and supplies except as provided in subsection 3 of this section.

3. Nothing contained in this section shall prohibit any ordinance of any political subdivision which conforms exactly with any of the provisions of sections 571.010 to 571.070, RSMo, with appropriate penalty provisions, or which regulates the open carrying of firearms readily capable of lethal use or the discharge of firearms within a jurisdiction, **provided such ordinance complies with the provisions of section 252.243, RSMo.**

4. The lawful design, marketing, manufacture, distribution, or sale of firearms or ammunition to the public is not an abnormally dangerous activity and does not constitute a public or private nuisance.

5. No county, city, town, village or any other political subdivision nor the state shall bring suit or have any right to recover against any firearms or ammunition manufacturer, trade association or dealer for damages, abatement or injunctive relief resulting from or relating to the lawful design, manufacture, marketing, distribution, or sale of firearms or ammunition to the public. This subsection shall apply to any suit pending as of October 12, 2003, as well as any suit

which may be brought in the future. Provided, however, that nothing in this section shall restrict the rights of individual citizens to recover for injury or death caused by the negligent or defective design or manufacture of firearms or ammunition.

6. Nothing in this section shall prevent the state, a county, city, town, village or any other political subdivision from bringing an action against a firearms or ammunition manufacturer or dealer for breach of contract or warranty as to firearms or ammunition purchased by the state or such political subdivision."; and

Further amend said bill, Page 13, Section 32.115, Line 9 of said page, by inserting after all of said line the following:

"99.812. 1. This section shall be known as and may be cited as the "Hunting Heritage Protection Areas Act". Hunting heritage protection areas shall include all land located within the one hundred-year flood plain of the Missouri River and all land located within the one hundred-year flood plain of the Mississippi River, as designated by the Federal Emergency Management Agency as amended from time to time.

2. In addition to the provisions of section 99.847 no new tax increment financing project shall be authorized in any hunting heritage protection area after August 28, 2007. This subsection shall not apply to tax increment financing projects or districts approved:

(1) Prior to August 28, 2007, and shall allow the modification, amendment, or expansion of such projects including redevelopment project costs by not more than forty percent of such project's original projected cost and the tax increment finance district by not more than five percent of the district as it existed as of August 28, 2007;

(2) For the purpose of flood or drainage protection and for any public infrastructure included therewith;
or

(3) For the purpose of constructing or operating a renewable fuel facility as defined in section 348.430, RSMo, or for the purpose of providing infrastructure necessary solely for the construction or operation of such renewable fuel production facility, provided no residential, commercial, or industrial development not directly associated with the production of renewable fuel shall occur within a hunting heritage protection area, either directly or indirectly, as a result of such tax increment financing project.

3. The discharge of firearms for lawful hunting, sporting, target shooting, and all other lawful purposes shall not be prohibited in hunting heritage protection areas, subject to all applicable state and federal laws.

4. Notwithstanding the provisions of subsection 1 of this section to the contrary, hunting heritage protection areas shall not include:

(1) Any area with a population of not less than fifty thousand persons that has been defined and designated in the 2000 United States Census as an "urbanized area" by the United States Secretary of Commerce;

(2) Any land ever owned by an entity regulated by the Federal Energy Regulatory Commission or any land ever used or operated by an entity regulated by the Federal Energy Regulatory Commission;

(3) Any land used for the operation of a physical port of commerce to include customs ports, but shall not include other land managed or governed by a port authority if such other land extends beyond the actual physical port;

(4) Any land contained within the boundary of any home rule city with more than four hundred thousand inhabitants and located in more than one county, or any land contained within a city not within a county; or

(5) Any land located within one-half mile of any interstate highway, as such highways exist as of August 28, 2007."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 109, Section 144.605, Line 6, by inserting after all of said line the following:

"144.806. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, section 144.805, and section 238.235, RSMo, and the provisions of any local sales tax law, as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed, or payable pursuant to sections 144.010 to 144.525, sections 144.600 to 144.748, and section 238.235, RSMo, and the provisions of any local sales tax law, as

defined in section 32.085, RSMo, all aviation jet fuel sold to an air common carrier for immediate consumption or shipment in the conduct of its business as an air common carrier or affiliate carrier, on a transoceanic flight. As used in this subsection, the term "immediate consumption or shipment", shall mean that the delivery of the aviation jet fuel by the seller is directly to an aircraft for consumption or transportation on a transoceanic flight and not for storage by the purchaser or any third party. The term "transoceanic flight" shall mean a flight destined for or continuing from a location situated on the other side of the Atlantic or Pacific ocean.

2. To qualify for the exemption prescribed in subsection 1 of this section, the air common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used, and consumed.

3. For purposes of determining eligibility for the state sales and use tax exemption on aviation jet fuel provided under section 144.805, sales of such fuel for transoceanic flights exempt from taxation under this section shall be treated as though subject to sales tax and such tax shall be deemed paid for purposes of calculating the maximum aggregate calendar year amount of state sales and use tax required for the exemption provided under section 144.805, however, no state sales or use tax liability shall accrue for purchases of fuel exempted under this section.

4. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 128, Section 620.495, Line 27, by inserting before said line the following:

"388.700. Sections 388.700 to 388.745 shall be known as "The Regional Railroad Authorities Act." As used in sections 388.700 to 388.745, unless the context clearly requires otherwise, the following words and terms shall mean:

(1) **"Authority", "railroad authority", or "regional railroad authority", a regional railroad authority organized and operated as a political subdivision under sections 388.700 to 388.745;**

(2) **"Common carrier", a railroad engaged in transportation for hire;**

(3) **"Commissioners", the commissioners of the regional railroad authority;**

(4) **"Project", any railroad facilities proposed to be acquired, constructed, improved, or refinanced by an authority, including any real or personal property, structures, machinery, equipment, and appurtenances determined by the authority to be useful or convenient for railroad operations and handling passengers or freight;**

(5) **"Railroad", any form of nonhighway ground transportation that runs on rails or electromagnetic guideways. The term "railroad" shall also have the meaning associated to it in 49 U.S.C. Section 20102, as amended;**

(6) **"Railroad properties and facilities", any real or personal property or interest in such property which is owned, leased or otherwise controlled by a railroad or other person, including an authority, and which are used or are useful in rail transportation service, including:**

(a) **Track, roadbed and related structures, including rail, ties, ballast, other track materials, grading, tunnels, bridges, tressels, culverts, elevated structures, stations, office buildings used for operating purposes only, repair shops, engine houses and public improvements used or usable for rail service operation;**

(b) **Communication and power transmission systems for use by railroads;**

(c) **Signals, including signals and interlockers;**

(d) **Terminal or yard facilities and services to express company and railroads and their shippers, including ferries, tugs, car floats and related shoreside facilities designed for the transportation of equipment by water;**

(e) Shop or repair facilities or any other property used or capable of being used in rail freight transportation services or in connection with such services or for originating, terminating, improving and expediting the movement of equipment or goods;

(6) “Real property”, lands, structures, improvements thereof, and water and riparian rights, and any and all interests and estates therein, legal or equitable, including but not limited to easements, rights-of-way, uses, leases, and licenses.

388.703. The purpose of an authority established and operated under sections 388.700 to 388.745 is to provide for the preservation, improvement, and the continuation of rail service for agriculture, industry, or passenger traffic and to provide for the preservation of railroad right-of-way for transportation uses, when determined to be practicable and necessary for the public welfare. The acquisition of real property under sections 388.700 to 388.745; the planning, acquisition, establishment, construction, improvement, maintenance, equipment, operation, regulation, and protection of authority facilities; and the exercise of powers granted to authorities and other public agencies to be severally or jointly exercised are public and governmental functions, exercised for public purpose, and matters of public necessity. All real property and other property acquired and used by or on behalf of an authority or other public agency, as provided in sections 388.700 to 388.745, shall be used for public and governmental purposes and as a matter of public necessity.

388.706. 1. Every municipality or county within this state is authorized to form a regional railroad authority under the provisions of this section.

2. A regional railroad authority may be organized by resolution or joint resolution adopted by the governing body or bodies of one or more counties. The governing body or bodies of a municipality or municipalities within a county or counties may request by resolution that the county or counties organize a railroad authority. If the county or counties do not organize an authority within ninety days of receipt of the request, the municipality or municipalities may organize an authority by resolution or joint resolution. A resolution organizing an authority shall state:

(1) That the authority is organized under the provisions of sections 388.700 to 388.745 as a political subdivision of Missouri;

(2) The proposed name of the authority, including the words “regional railroad authority”;

(3) The county, counties, municipality or municipalities adopting the organization resolution;

(4) The number of commissioners of the authority, not less than five; the number to be appointed by the governing body of each county or municipality; and the names and addresses of the board of commissioners;

(5) The city and county in which the registered office of the authority is to be situated;

(6) That neither the state of Missouri, the municipality or municipalities, nor any other political subdivision is liable for obligations of the authority; and

(7) Any other provision for regulating the business of the authority determined by the governing body or bodies adopting the resolution.

388.709. Before final adoption of an organization resolution, the governing body of each county or municipality named in it shall provide for a public hearing upon notice published in a newspaper of general circulation in the county or municipality. The notice of a hearing by the governing body of a county shall be mailed to the governing body of each municipality in the county, except municipalities participating in the organization, at least thirty days before the hearing. The hearing may be adjourned from time to time, to a time and place publicly announced at the hearing, or to a time and place fixed by notice published in a newspaper of general circulation in the county or municipality at least ten days before the adjourned session. Joint hearing sessions may be held by the governing bodies of all counties or municipalities named, at any convenient public place within any of the counties or municipalities. The resolution may be amended by the governing body or bodies at or after any hearing session at which the amended resolution is proposed and made available to interested citizens. It shall not become effective until adopted in identical form by the governing bodies of all counties or municipalities named in the resolution.

388.712. Upon the appointment and qualification of the commissioners first appointed to a regional railroad authority under section 388.715, the commissioners shall submit to the secretary of state a certified copy of each resolution adopted pursuant to section 388.706. A copy of the organization resolution, certified by the recording officer of each municipality or county adopting it, shall be filed with the secretary of state, who shall issue a certificate of incorporation if the resolution conforms to the requirements of this section, stating in the

certificate the name of the authority and the date of its incorporation, which shall be the date of acceptance for filing. The certificate of incorporation shall be conclusive evidence of the valid organization and existence of the authority.

388.715. 1. All powers granted to an authority shall be exercised by its board of commissioners. Commissioners shall be appointed and vacancies in their office shall be filled by the governing body of each county or municipality named in the organization resolution, in accordance with the provisions of that resolution. The term of each commissioner shall be one year, or the remainder of the one year term for which a vacancy is filled, and until a successor is appointed. Commissioners shall receive no compensation for services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

2. The board of commissioners shall by resolution establish the time and place or places of its regular meetings and the method and notice required for calling special meetings, all of which shall be open to the public. A majority of the commissioners being present at a meeting, any action may be taken by resolution or motion adopted by recorded vote of a majority of those present, unless a larger majority is required by bylaws adopted by the board.

3. The board of commissioners shall appoint a chair, vice-chair, secretary, and treasurer from its members, each to serve for a term of one year and until a successor is appointed. The offices of secretary and treasurer may be combined, and deputies or assistants may be appointed for either office or the combined office, from members of the board or otherwise. The powers and duties of each office shall be determined by the board, which shall require and pay for a surety bond for each officer handling funds. The board shall provide for the keeping of a full and accurate record of all proceedings and of resolutions, regulations, and orders issued or adopted. The state auditor shall annually audit the books of said regional railroad authority.

388.718. An authority may exercise all the powers necessary or desirable to implement the powers specifically granted in sections 388.700 to 388.745, and in exercising the powers is deemed to be performing an essential governmental as a political subdivision of the state. Without limiting the generality of the foregoing, the authority may:

- (1) Sue and be sued, have a seal, and have perpetual succession;
- (2) Execute contracts and other instruments and take other action as may be necessary to carry out the purposes of sections 388.700 to 388.745;
- (3) Receive and disburse federal, state, and other funds, public or private, made available by grant, loan, contribution, tax levy, or other source to accomplish the purposes of sections 388.700 to 388.745. Federal money accepted under this section shall be accepted and spent by the authority upon terms and conditions prescribed by the United States and consistent with state law. All state money accepted under this section shall be accepted and spent by the authority upon terms and conditions prescribed by the state.
- (4) Sell, lease, or otherwise dispose of real or personal property acquired under sections 388.700 to 388.745. The disposal must be in accordance with the laws of this state governing the disposition of other public property.

388.721. 1. The authority may plan, establish, acquire, develop, construct, purchase, enlarge, extend, improve, maintain, equip, operate, regulate, and protect railroads, railroad properties and railroad facilities within its boundaries, including but not limited to terminal buildings, roadways, crossings, bridges, causeways, tunnels, equipment, and rolling stock.

2. The authority may apply to any public agency for permits, consents, authorizations, and approvals required for any project and take all actions necessary to comply with their conditions.

388.724. The authority may exercise the power of eminent domain under chapter 523, RSMo, except that it shall have no power of eminent domain with respect to property owned by another authority or political subdivision of Missouri or any other state, or with respect to property owned or used by a railroad corporation unless the federal Surface Transportation Board or a successor agency, if any, or another authority with power to make the finding, has found that the public convenience and necessity permit discontinuance of rail service on the property. All property taken for the exercise of the powers granted herein is declared to be taken for a public governmental purpose and as a matter of public necessity.

388.727. The state of Missouri and any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to any regional railroad authority

or may place in its possession or control, by lease or other contract or agreement, either for a limited period or in fee, any property within a regional railroad authority district or any property wherever situated. Nothing in this section, however, shall in any way impair, alter or change any obligations, contractual or otherwise, heretofore entered into by said entities.

388.730. The authority may establish charges and rentals for the use, sale, and availability of its property and service and may hold, use, dispose of, invest, and reinvest the income, revenues, and funds derived therefrom. Subject to any agreement with bondholders, it may invest money not required for immediate use, including bond proceeds, in the securities it shall deem prudent, notwithstanding the provisions of any other law relating to the investment of public funds.

388.733. The authority shall be subject to tort liability to the extent provided in chapter 537, RSMo, and may procure insurance against the liability, and may indemnify and purchase and maintain insurance on behalf of any of its commissioners, officers, employees, or agents. It may also procure insurance against loss of or damage to property in the amounts, by reason of the risks, and from the insurers as it deems prudent.

388.736. The state may make grants to a regional railroad authority, as appropriated by the general assembly, to be allocated by the department of transportation to regional railroad authorities. The authority may accept, contract for, and receive and disburse federal, state, and other funds or property, public or private, made available by grant, loan, or lease, to be used in the exercise of any of its powers, and may comply with the terms and conditions of the grant or loan.

388.739. 1. Every regional railroad authority, organized under the provisions of sections 388.700 to 388.745, may from time to time issue its negotiable revenue bonds or notes in such principal amounts as, in its opinion, shall be necessary to provide sufficient funds for achieving its purposes, including the construction, establishment, acquisition, improvement, maintenance, protection and regulation of railroads and railroad facilities, that may be necessary to carry out the provisions of sections 388.700 to 388.745.

2. The state shall not be liable on any notes or bonds of any regional railroad authority. Any such notes or bonds shall not be a debt of the state and shall contain on the faces thereof a statement to such effect.

3. No commissioner of any regional railroad authority or any authorized person executing authority notes or bonds shall be liable personally on said notes or bonds or shall be subject to any personal liability or accountability by reason of the issuance thereof.

4. No authority shall be required to pay any taxes or any assessments whatsoever to this state or to any political subdivisions, municipality or other governmental agency of this state. The notes and bonds of every authority and the income therefrom shall, at all times, be exempt from any taxes and any assessments, except for death and gift taxes and taxes on transfers.

5. Every authority shall have the powers and be governed by the procedures now or hereafter conferred upon or applicable to the environmental improvement authority, chapter 260, RSMo, relating to the manner of issuance of revenue bonds and notes, and the port authority shall exercise all such powers and adhere to all such procedures insofar as they are consistent with the necessary and proper undertaking of its purposes.

388.742. The authority may enter into contracts including leases with any person, firm, or corporation, for terms the authority may determine:

(1) Providing for the operation of any facilities on behalf of the authority, at the rate of compensation as may be determined;

(2) Leasing a rail line for operation by the lessee or any facility or space therein for other commercial purposes, at rentals as may be determined, but no person may be authorized to operate a rail line other than as a common carrier;

(3) Granting the privilege, for compensation as the authority shall determine, of supplying goods, commodities, services, or facilities along rail lines or in or upon other property; and

(4) Making available services furnished by the authority or its agents, at charges, rentals, or fees which shall be reasonable and uniform for the same class of privilege or service.

388.745. If, at any time, the governing body of any city or county that organized a regional railroad authority, votes, by majority, to dissolve a regional railroad authority, it shall be dissolved effective the date of the approval of dissolution by the highways and transportation commission of the state. In the event of dissolution

of a regional railroad authority, all funds and other assets shall be distributed among the cities and counties, who were members, on a pro rata basis.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 142, Section 620.1878, Line 20, by inserting immediately after the word "company" the following:

"on a full-time basis, who receives an annual salary equal to or less than the average salary for the county in which the employee is employed or deemed to be employed"; and

Further amend said bill, Page 159, Section 620.1881, Line 7, by inserting immediately after all of said line the following:

”;
(6) Tuition reimbursement programs: a qualified company may receive a tax credit for providing tuition reimbursement to eligible employees. The amount of the tuition reimbursement credit may equal up to fifty percent of the expenses actually incurred in reimbursing all or a portion of tuition expenses of eligible employees, but not to exceed five thousand dollars per employee. In no case shall a qualified company receive more than twenty-five thousand dollars in tax credits authorized under this subdivision in any tax year. In no case shall the aggregate amount of tax credits issued under this subdivision in any tax year exceed two hundred and fifty thousand dollars. Tax credits issued under this subdivision may be assigned, sold or transferred. The tax credit authorized under this subdivision shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried forward five years until completely claimed.”; and

Further amend said bill and section, Page 161, Line 15, by inserting immediately after the word "issued" the following:

", except as provided under subdivision 4 of subsection 3 of this section"; and

Further amend said bill and section, Page 162, Line 18, by inserting immediately after the number "11." the following:

"Except as provided under subdivision 4 of subsection 3 of this section,".

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 163, Section 620.1881, Line 3 of said page, by inserting after all of said line the following:

"620.1892. 1. This section shall be known and may be cited as the "Small Business and Entrepreneurial Growth Act".

2. Unless otherwise modified in this section, the definitions provided in section 620.1878 shall apply to this section. For purposes of this section, the following terms shall mean:

(1) "Department", the department of economic development;

(2) "Eligible small business project", a project approved by the department of economic development through which a small business employer meets all of the following qualifications:

(a) The small business employer's total payroll increases by at least twenty percent due to the addition of new jobs or a business with less than five employees adds employees so that the total number of employees is five or greater;

(b) The number of jobs added through the project by the small business employer does not exceed the minimum number of jobs required to be eligible for benefits under any program of the Missouri quality job act;

(c) Wages for the new jobs created through the project by the small business employer are at least eighty-five percent of the average county wage as determined by the department of economic development; and

- (d) The project is not eligible for any benefits under the Missouri quality jobs act;
- (3) "Small business employer", a firm, partnership, joint venture, association, or a private or public corporation, whether organized for profit or not, provided that the term shall not include:
 - (a) Gambling establishments (NAICS industry group 7132);
 - (b) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due to the state or federal government or any other political subdivision of this state; or
 - (c) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection.
- 3. For all taxable years beginning on or after January 1, 2008, a small business employer shall be allowed to receive benefits for an eligible small business project as follows:
 - (1) Retention of all tax withheld under sections 143.191 to 143.265, RSMo, from the newly created jobs for a period of one year; or
 - (2) If the employer also provides health insurance and pays more than fifty percent of the premiums for all employees, the tax withheld under sections 143.191 to 143.265, RSMo, from newly created jobs may be retained for a period of two years.
- 4. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 122, Section 208.750, Line 18 of said page, by inserting immediately after all of said line the following:

- "238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:
- (1) "Board", the board of directors of a district;
 - (2) "Commission", the Missouri highways and transportation commission;
 - (3) "District", a transportation development district organized under sections 238.200 to 238.275;
 - (4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;
 - (5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.
2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, RSMo, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:
- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
 - (2) "Qualified electors", "qualified voters" or "voters", [if] **within the proposed or established district**, any persons [eligible to be registered voters reside within the proposed district, such persons] **residing therein** who have registered to vote pursuant to chapter 115, RSMo, [or if no persons eligible to be registered voters reside within the proposed district,] **and** the owners of real property [located within the proposed district], **who shall receive one vote per acre, provided that any registered voter who also owns property must elect whether to vote as an owner or a registered voter;**
 - (3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115, RSMo.

238.207. 1. Whenever the creation of a district is desired, not less than fifty registered voters from each county partially or totally within the proposed district may file a petition requesting the creation of a district. However, if no persons eligible to be registered voters reside within the district, the owners of record of all of the real property, except

public streets, located within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of any county partially or totally within the proposed district.

2. Alternatively, the governing body of any local transportation authority within any county in which a proposed project may be located may file a petition in the circuit court of that county, requesting the creation of a district.

3. The proposed district area shall be contiguous and may contain all or any portion of one or more municipalities and counties; provided:

- (1) Property separated only by public streets, easements or rights-of-way shall be considered contiguous;
- (2) In the case of a district formed pursuant to a petition filed by the owners of record of all of the real property located within the proposed district, the proposed district area need not contain contiguous properties if:
 - (a) The petition provides that the only funding method for project costs will be a sales tax;
 - (b) The court finds that all of the real property located within the proposed district will benefit by the projects to be undertaken by the district; and
 - (c) Each parcel within the district is within five miles of every other parcel; and
- (3) In the case of a district created pursuant to subsection 5 of this section, property separated only by public streets, easements, or rights-of-way or connected by a single public street, easement, or right-of-way shall be considered contiguous.

4. The petition shall set forth:

- (1) The name, voting residence and county of residence of each individual petitioner, or, if no persons eligible to be registered voters reside within the proposed district, the name and address of each owner of record of real property located within the proposed district, or shall recite that the petitioner is the governing body of a local transportation authority acting in its official capacity;
- (2) The name and address of each respondent. Respondents must include the commission and each affected local transportation authority within the proposed district, except a petitioning local transportation authority;
- (3) A specific description of the proposed district boundaries including a map illustrating such boundaries;
- (4) A general description of each project proposed to be undertaken by that district, including a description of the approximate location of each project;
- (5) **The estimated project costs and the anticipated revenues to be collected from the project;**
- (6) The name of the proposed district;
- [(6)] (7) The number of members of the board of directors of the proposed district, which shall be not less than five or more than fifteen;
- [(7)] (8) A statement that the terms of office of initial board members shall be staggered in approximately equal numbers to expire in one, two or three years;
- [(8)] (9) If the petition was filed by registered voters or by a governing body, a request that the question be submitted to the qualified voters within the limits of the proposed district whether they will establish a transportation development district to develop a specified project or projects;
- [(9)] (10) A proposal for funding the district initially, pursuant to the authority granted in sections 238.200 to 238.275, together with a request that the funding proposal be submitted to the qualified voters [residing] within the limits of the proposed district; provided, however, the funding method of special assessments may also be approved as provided in subsection 1 of section 238.230; and

[(10)] (11) A statement that the proposed district shall not be an undue burden on any owner of property within the district and is not unjust or unreasonable.

5. (1) As an alternative to the methods described in subsections 1 and 2 of this section, if two or more local transportation authorities have adopted resolutions calling for the joint establishment of a district, the governing body of any one such local transportation authority may file a petition in the circuit court of any county in which the proposed project is located requesting the creation of a district.

(2) The proposed district area shall be contiguous and may contain all or any portion of one or more municipalities and counties. Property separated only by public streets, easements, or rights-of-way or connected by a single public street, easement, or right-of-way shall be considered contiguous.

(3) The petition shall set forth:

- (a) That the petitioner is the governing body of a local transportation authority acting in its official capacity;
- (b) The name of each local transportation authority within the proposed district. The resolution of the governing body of each local transportation authority calling for the joint establishment of the district shall be attached to the petition;
- (c) The name and address of each respondent. Respondents must include the commission and each affected local transportation authority within the proposed district, except a petitioning local transportation authority;
- (d) A specific description of the proposed district boundaries including a map illustrating such boundaries;

- (e) A general description of each project proposed to be undertaken by the district, including a description of the approximate location of each project;
- (f) The name of the proposed district;
- (g) The number of members of the board of directors of the proposed district;
- (h) A request that the question be submitted to the qualified voters within the limits of the proposed district whether they will establish a transportation development district to develop the projects described in the petition;
- (i) A proposal for funding the district initially, pursuant to the authority granted in sections 238.200 to 238.275, together with a request that the imposition of the funding proposal be submitted to the qualified voters residing within the limits of the proposed district; provided, however, the funding method of special assessments may also be approved as provided in subsection 1 of section 238.230; and
- (j) A statement that the proposed district shall not be an undue burden on any owner of property within the district and is not unjust or unreasonable.

238.208. 1. The owners of property adjacent to a transportation district formed under the Missouri transportation development district act may petition the court by unanimous petition to add their property to the district. If the property owners within the transportation development district unanimously approve of the addition of property, the adjacent properties in the petition shall be added to the district. Any property added under this section shall be subject to all projects, taxes, and special assessments in effect as of the date of the court order adding the property to the district. The owners of the added property shall be allowed to vote at the next election scheduled for the district to fill vacancies on the board and on any other question submitted to them by the board under this chapter. The owners of property added under this section shall have one vote per acre in the same manner as provided in subdivision (2) of subsection 2 of section 238.220.

2. The owners of all of the property located in a transportation development district formed under this chapter may, by unanimous petition filed with the board of directors of the district, remove any property from the district, so long as such removal will not materially affect any obligations of the district.

238.225. 1. Before construction or funding of any project, the district shall submit the proposed project, [together with the proposed plans and specifications,] to the commission for its prior approval [of the project]. If the commission by minute finds that the project will improve or is a necessary or desirable extension of the state highways and transportation system, the commission may **preliminarily** approve the project subject to the district **providing plans and specifications for the proposed project and** making any revisions in the plans and specifications required by the commission and the district and commission entering into a mutually satisfactory agreement regarding development and future maintenance of the project. **After such preliminary approval, the district may impose and collect such taxes and assessments as may be included in the commission's preliminary approval.** After the commission approves the final construction plans and specifications, the district shall obtain prior commission approval of any modification of such plans or specifications.

2. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the district shall also submit the proposed project and proposed plans and specifications to the local transportation authority that will become the owner of the project for its prior approval.

3. In those instances where a local transportation authority is required to approve a project and the commission determines that it has no direct interest in that project, the commission may decline to consider the project. Approval of the project shall then vest exclusively with the local transportation authority subject to the district making any revisions in the plans and specifications required by the local transportation authority and the district and the local transportation authority entering into a mutually satisfactory agreement regarding development and future maintenance of the project. After the local transportation authority approves the final construction plans and specifications, the district shall obtain prior approval of the local transportation authority before modifying such plans or specifications.

238.230. 1. If approved by:

- (1) A majority of the qualified voters voting on the question in the district; or
- (2) The owners of record of all of the real property located within the district who shall indicate their approval by signing a special assessment petition;

the district may make one or more special assessments for those project improvements which specially benefit the properties within the district. Improvements which may confer special benefits within a district include but are not limited to improvements which are intended primarily to serve traffic originating or ending within the district, to reduce local traffic congestion or circuitry of travel, or to improve the safety of motorists or pedestrians within the district.

2. The ballot question shall be substantially in the following form:

Shall the Transportation Development District be authorized to levy special assessments against property benefited within the district for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary), said special assessments to be levied ratably against each tract, lot or parcel of property within the district which is benefited by such project in proportion to the (insert method of allocating special assessments), in an amount not to exceed \$ per annum per (insert unit of measurement)?

3. The special assessment petition shall be substantially in the following form:

The Transportation Development District shall be authorized to levy special assessments against property benefited within the district for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary), said special assessments to be levied pro rata against each tract, lot or parcel or property within the district which is benefited by such project in proportion to the (insert method of allocating special assessments), in an amount not to exceed \$..... per annum per (insert unit of measurement).

4. If a proposal for making a special assessment fails, the district board of directors may, with the prior approval of the commission or the local transportation authority which will assume ownership of the completed project, delete from the project any portion which was to be funded by special assessment and which is not otherwise required for project integrity.

5. A district may establish different classes of real property within the district for purposes of levying differing rates of special assessments. The levy rate for special assessments may vary for each class or subclass based on the level of benefit derived by each class or subclass of real property from projects funded by the district.

238.275. 1. Within six months after development and initial maintenance costs of its completed project have been paid, the district shall pursuant to contract transfer ownership and control of the project to the commission or a local transportation authority which shall be responsible for all future maintenance costs pursuant to contract. **Such transfer may be made sooner with the consent of the recipient.**

2. At such time as a district has completed its project and has transferred ownership of the project to the commission or other local transportation authority for maintenance, or at such time as the board determines that it is unable to complete its project due to lack of funding or for any other reason, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the Transportation Development District be abolished?

3. The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court. Prior to submitting the question to abolish the district to a vote, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law.

4. While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

5. Upon receipt of certification by the appropriate election authorities that the majority of those voting within the district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board shall:

(1) Sell any remaining district real or personal property it wishes, and then transfer the proceeds and any other real or personal property owned by the district, including revenues due and owing the district, to the commission or any appropriate local transportation authority assuming maintenance and control of the project, for its further use and disposition;

(2) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(3) At a public meeting of the district, declare by a majority vote that the district has been abolished effective that date; and

(4) Cause copies of that resolution under seal to be filed with the secretary of state, the director of revenue, the commission, and with each local transportation authority affected by the district. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 13, Section 32.115, Line 9, by inserting immediately after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such

an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) In a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for a first class county with a charter form of government having a population of more than nine hundred thousand, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, three such members appointed either by the county executive or county commissioner, and six such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) When any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section

prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 13, Section 32.115, Line 9 of said page, by inserting after all of said line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) "Gambling establishment", an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) **"Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;**

(8) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(8)] (9) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(9)] (10) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(10)] (11) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(11)] (12) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, RSMo, or a combination thereof, which area includes only those parcels of real property directly and substantially benefited by the proposed redevelopment project;

[(12)] (13) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(13)] (14) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(14)] (15) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

- (e) Initial costs for an economic development area;
 - (f) Costs of construction of public works or improvements;
 - (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;
 - (h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;
 - (i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;
 - (j) Payments in lieu of taxes;
- [(15)] (16) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;
- [(16)] (17) "Taxing districts", any political subdivision of this state having the power to levy taxes;
- [(17)] (18) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and
- [(18)] (19) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.841. 1. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, no new tax increment financing project shall be authorized in any greenfield area, as such term is defined in section 99.805, that is located within a city not within a county or any county subject to the authority of the East West Gateway Council of Governments. Municipalities not subject to the authority of the East West Gateway Council of Governments may authorize tax increment finance projects in greenfield areas."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 157, Section 620.1881, Line 14, by inserting after all of said line the following:

"(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;"; and

Further renumber the remaining paragraphs accordingly.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 151, Section 620.1881, Line 28 of said page, by inserting after "benefit." the following:

"Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained."

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 13, Section 32.115, Line 9, by inserting immediately after all of said line the following:

"99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing

and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 18

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 50, Section 135.600, Line 11, by striking the number "two" and inserting in lieu thereof the number "**three**"; and

Further amend said section, Page 51, Line 7, by inserting after all of said line the following:

"9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval."

Senate Amendment No. 19

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 9, Section 32.115, Line 25, by inserting immediately after the number "32.125" the following:

"and section 135.571, RSMo, with the first one hundred thousand dollars in tax credits remaining to be issued as provided under section 135.571, RSMo"; and

Further amend said bill, Page 47, Section 135.562, Line 25, by inserting immediately after all of said line the following:

"135.571. 1. As used in this section, the following terms shall mean:

(1) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting membership organizations created under chapter 355, RSMo, for the purpose of

preserving sites located within the state associated with the Civil War. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A taxpayer's own money or property used in support of an eligible organization for the preservation of Missouri's Civil War sites other than expense of the taxpayer's food, lodging, or travel;

(b) Payment by a taxpayer to compensate another person for services rendered to preserve Missouri's Civil War sites, which has been approved by an eligible organization;

(c) Donation of goods and services, including the gift of advertising space in a brochure, booklet, program, pamphlet, or signs to an eligible organization;

(d) Donation of money, goods, property, or services for the creation of signs, pathways, parking, lighting, landscaping, National Register Designation, and environmental and appraisal costs associated with the preservation of Missouri's Civil War sites approved by an eligible organization;

(e) Payments made or services rendered to an eligible organization, its affiliate, or agent for the acquisition of trademark rights, and consulting by employees and agents of a taxpayer;

(f) Facilities, office space, or equipment supplied by any person without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, to an eligible organization for purposes of the preservation of Missouri's Civil War sites;

(2) "Department", the Missouri department of economic development;

(3) "Director", the director of the Missouri department of economic development;

(4) "Eligible organization", a membership organization created under chapter 355, RSMo, having among its purposes according to its article of incorporation the preservation of sites located within the state associated with the Civil War, and having been in existence for two years prior to application for certification under this section;

(5) "State Tax Liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, and 153, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions;

(6) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo;

2. For tax years beginning on or after January 1, 2008, a taxpayer shall be allowed a credit in an amount equal to fifty percent of the amount of contribution made to an eligible organization for the preservation of Missouri's Civil War sites. The tax credit authorized by this section shall be fully transferrable, assignable, and saleable. In the case where the credits issued under this section to a taxpayer exceed such taxpayer's tax liability, the excess shall not result in a refund. Such excess credit may be carried forward the next five years until fully claimed. In no case shall the amount of tax credit issued under this section exceed one hundred thousand dollars in any given tax year. In no case shall a taxpayer receive more than twenty-five thousand dollars in tax credits issued under this section in any given tax year. To the extent there are tax credits remaining unissued under subsection 2 of section 32.115, RSMo, the first one hundred thousand dollars of tax credits remaining shall be made available for issuance under this section.

3. An organization desiring certification by the department as an eligible organization shall make application to the department. The department shall examine the organization and determine eligibility as provided in this section. Upon certification, the department shall notify the director of the department of revenue as to the organization's eligibility under the provisions of this section.

4. The department and the department of revenue shall promulgate rules necessary for the implementation of the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 20

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 135, Section 620.495, Line 27, by inserting after all of said line the following:

“620.504. 1. There is hereby established the “Missouri Workforce Investment Board”, hereinafter referred to as “the board” in sections 620.504 to 620.509.

2. The purpose of the board is to provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the state of Missouri. The board shall be the state's advisory board pertaining to workforce preparation policy.

3. The board shall meet the requirements of the federal Workforce Investment Act of 1998, hereinafter referred to as the “WIA”, P.L. 105-220, as amended. Should another federal law supplant the “WIA”, all references in sections 620.504 to 620.509 to the WIA shall apply as well to the new federal law.

4. Composition of the board shall comply with the WIA. board members appointed by the governor shall be subject to the advice and consent of the senate. Consistent with the requirements of the WIA, the governor shall designate one member of the board to be its chairperson.

5. Except as otherwise provided in subsection 6 of this section, each member of the board shall serve for a term of four years, subject to the pleasure of the governor, and until a successor is duly appointed. In the event of a vacancy on the board, the vacancy shall be filled in the same manner as the original appointment and said replacement shall serve the remainder of the original appointee's unexpired term.

6. Of the members initially appointed to the board, one-fourth shall be appointed for a term of four years, one-fourth shall be appointed for a term of three years, one-fourth shall be appointed for a term of two years, and one-fourth shall be appointed for a term of one year.

7. Board members shall receive no compensation, but shall be reimbursed for all necessary expenses actually incurred in the performance of their duties.

620.507. 1. The board shall establish bylaws governing its organization, operation, and procedure consistent with sections 620.504 to 620.509, RSMo, and consistent with the WIA.

2. The board shall meet at least four times each year at the call of the chairperson.

3. In order to assure objective management and oversight, the board shall not operate programs or provide services directly to eligible participants, but shall exist solely to plan, coordinate, and monitor the provisions of such programs and services. A member of the board may not vote on a matter under consideration by the board that regards the provision of services by the member or by an entity that the member represents or would provide direct financial benefit to the member or the immediate family of the member. A member of the board may not engage in any other activity determined by the governor to constitute a conflict of interest.

4. The composition and the roles and responsibilities of the board membership may be amended to comply with any succeeding federal or state legislative or regulatory requirements governing workforce investment activities, except that the procedure for such change shall be outlined in state rules and regulations and adopted in the bylaws of the board.

5. The department of economic development shall provide professional, technical, and clerical staff for the board.

6. The board may promulgate any rules and regulations necessary to administer the provisions of sections 620.504 to 620.509. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

620.509. 1. The board shall assist the governor with the functions described in section 111(d) of the WIA 29 U.S.C. 2821d and any regulations issued pursuant to the WIA.

2. The board shall submit an annual report of its activities to the governor, the speaker of the house of representatives, and the president pro tern of the senate no later than January thirty-first of each year.

3. Nothing in sections 620.504 to 620.509 shall be construed to require or allow the board to assume or supersede the statutory authority granted to, or impose any duties or requirements on, the state coordinating board for higher education, the governing boards of the state's public colleges and universities, the state board of education, or any local educational agencies.”; and

Further amend said bill, Page 163, Section 620.1881, Line 3 of said page, by inserting after all of said line the following:

“[620.521. Sections 620.521 to 620.530 shall be known and may be cited as the “Missouri Training and Employment Council Act”.]

[620.523. 1. There is hereby established the “Missouri Training and Employment Council”.

2. The Missouri training and employment council shall study and make recommendations regarding the improvement of the state's job training service delivery network. Such recommendations will consider improved federal and state resource use and expanded coordination of state job training and employment activities with other related activities. Using the results of interdepartmental collaboration at early stages of policy formation, the council shall propose a statewide training and employment policy and a periodically updated plan of services for achieving Missouri's objective of full employment. The council shall serve as a forum for public and private sector representation to encourage cooperative uses of training and employment funding, facilities and staff resources for a more comprehensive and coordinated statewide system.

3. The Missouri training and employment council shall consist of thirty members appointed by the governor with the advice and consent of the senate. The governor shall designate one nongovernmental member to be chairman. The council shall be composed as follows:

(1) Thirty percent of the membership shall be representatives of business, industry and agriculture, including individuals who are representatives of business, industry, and agriculture on private industry councils, job service employer committees or local education advisory committees within the state;

(2) Thirty percent of the membership shall be:

(a) Members of the general assembly and state agencies and organizations. One representative each from the department of economic development, the department of elementary and secondary education, the department of labor and industrial relations and the department of social services shall be appointed;

(b) Representatives of the units or consortia of units of general local government which shall be nominated by the chief elected officials of the units or consortia of units of local government and the representatives of local educational agencies who shall be nominated by local educational agencies. One community college president or chancellor, one representative of the state council on vocational education and one director of an area vocational school shall be appointed to the council. To the extent feasible, such appointees shall have knowledge of or experience with economic development, job training, education or related areas;

(3) Thirty percent of the membership shall be representatives of organized labor and representatives of community-based organizations in the state;

(4) Ten percent of the membership shall be representatives of the general public.

The composition and the roles and responsibilities of the Missouri training and employment council membership may be amended to comply with any succeeding federal or state legislative or regulatory requirements governing training and employment programs, except that the procedure for such change shall be outlined in state rules and regulations and adopted in the bylaws of the council.

4. Each member of the council shall serve for a term of four years and until a successor is duly appointed; except that, of the members first appointed, six members shall serve for a term of four years, eight members shall serve for a term of three years, eight members shall serve for a term of two years and eight members shall serve for a term of one year. Each member shall continue to serve until a successor is duly appointed. The council shall meet at least four times each year at the call of the chairman.

5. The members of the council shall receive no compensation, but shall be reimbursed for all necessary expenses actually incurred in the performance of their official duties.]

[620.527. 1. The Missouri training and employment council shall:

(1) Review studies of occupational trends, employment supply and demand, industry growth, job training program participation, labor force literacy and early warning signals that industries are beginning to decline or are in danger of closing;

(2) Report to the governor and to the general assembly regarding statewide training and employment policies which have been developed in concert with interagency assistance from the department of economic development, the department of elementary and secondary education, the department of labor and industrial relations, the department of social services and other agencies delivering training and employment services;

(3) Prepare and submit to appropriate state and local agencies a statewide plan for full-employment services including such activities as labor exchange, job training or retraining, job development, job placement services and labor force literacy;

(4) Work through various state agencies delivering training and employment services to review interagency coordination and program effectiveness;

(5) Review and report to the governor innovative proposals for training and employment programs; and

(6) Encourage the participation of government, business and industry, and unions or other labor organizations, for providing assistance to dislocated workers, in communities where plant closures occur.

2. The roles, responsibilities and duties of the Missouri job training coordinating council established by Missouri executive order 88-8 are hereby assigned to the Missouri training and employment council. The Missouri training and employment council shall perform all council functions required by the federal Job Training Partnership Act, as amended, as well as the expanded requirements defined by sections 620.521 to 620.530.]

[620.528. No later than September 1, 1992, the Missouri training and employment council shall submit to the governor and to the general assembly a proposed statewide training and employment policy. This policy shall address public and private participation toward achieving Missouri's objective of full employment. The policy shall also address methods to improve federal and state resource use in the providing of job training services and coordination of training and employment activities with other related activities.]

[620.529. 1. The Missouri training and employment council shall prepare and recommend a statewide training and employment plan for consideration by appropriate state and local agencies by 1993. The plan shall be reviewed annually and updated periodically and shall propose implementation timetables, measurable objectives and specific courses of action. The plan shall describe possible cooperative uses of training and employment funding, facilities and staff resources whenever feasible and shall focus on the development of a more coordinated training and employment delivery system.

2. The plan shall include provisions to accomplish the following objectives by the administering agencies:

(1) Provide a streamlined intake and assessment process for persons seeking training and employment assistance;

(2) Target appropriate skill areas for training so that persons are trained for positions expected to exist in the labor market;

(3) Allow workers with obsolete or inadequate skills to have their skills upgraded while retaining employment;

(4) Retrain workers displaced by high technology industry and plant closings to reenter the Missouri workforce;

(5) Involve business and industry in the planning, operation and evaluation of training programs;

(6) Encourage and assist local educational agencies, vocational technical schools and post-secondary institutions to coordinate their curricula and course selections with the changing needs of business and industry;

(7) Develop programs to improve the use of apprenticeship as a method of instruction in Missouri.

3. The objectives listed in subsection 2 of this section shall be the foundation for interagency efforts to coordinate services and offer programs which maximize resources to meet Missouri's workforce needs while recognizing various agency roles and responsibilities.]

[620.530. 1. The division of job development and training shall provide professional, technical and clerical staff support and resources to the Missouri training and employment council; administer training programs authorized under the federal Job Training Partnership Act; administer programs authorized under sections 620.470 to 620.481; and administer such other federal or state job development and training programs as are assigned to the division.

2. The division shall promulgate rules and regulations necessary to carry out its responsibility to the Missouri training and employment council and to develop the plans and policies adopted by the council. No rule or portion of a rule promulgated under the authority of sections 620.470 to 620.570 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.]

[620.537. 1. The department of economic development shall commission a new targeted industries study to identify those general areas of the Missouri economy where growth and increased employment is likely to occur in the next decade, and to ascertain necessary, associated work force skills and requirements. The completed study shall be distributed to all Missouri state agencies which provide job training services in order to promote collaboration in the development of employment projections and in the delivery of training services, and to any local economic development agency requesting a copy of such study.

2. The Missouri training and employment council, in conjunction with the state's private industry councils, the state's community colleges, the state's area vocational technical schools, community action agencies, as defined in section 660.370, RSMo, the department of economic development, the department of elementary and secondary education, the department of labor and industrial relations, the department of social services, and the Missouri state council on vocational education shall initiate a study regarding the value of a clustered or regional focus on job training, including the establishment of customized, technical training centers and utilization of portable equipment. Emphasis will be placed on the determination of broad occupational training needs.]"; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 22*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Pages 122-124, Section 348.273, by striking all of said section from the bill; and

Further amend said bill, Section 348.274, Pages 124-126, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 23

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 19, Section 99.1200, Line 11 of said page, by inserting immediately after said line the following:

"No tax credits provided under this section shall be authorized after August 28, 2013. Any tax credits which have been authorized on or before August 28, 2013, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued."; and

Further amend said bill and section, Page 20, Lines 17-19, by striking all of such lines.

Senate Amendment No. 24

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 121, Section 208.750, Line 17, by inserting immediately after the word "RSMo," the following:

"or any nonprofit corporation formed under chapter 355, RSMo,"; and

Further amend said bill and section, Page 122, Line 17, by inserting after all of said line the following:

"208.755. 1. There is hereby established within the department of economic development a program to be known as the "Family Development Account Program". The program shall provide eligible families and individuals with an opportunity to establish special savings accounts for moneys which may be used by such families and individuals for education, home ownership or small business capitalization.

2. The department shall solicit proposals from community-based organizations seeking to administer the accounts on a not-for-profit basis. Community-based organization proposals shall include:

(1) A requirement that the individual account holder or the family of an account holder match the contributions of a community-based organization member by contributing cash;

(2) A process for including account holders in decision making regarding the investment of funds in the accounts;

(3) Specifications of the population or populations targeted for priority participation in the program;

(4) A requirement that the individual account holder or the family of an account holder attend economic literacy seminars;

(5) A process for including economic literacy seminars in the family development account program; and

(6) A process for regular evaluation and review of family development accounts to ensure program compliance by account holders.

3. In reviewing the proposals of community-based organizations, the department shall consider the following factors:

(1) The not-for-profit status of such organization;

(2) The fiscal accountability of the community-based organization;

(3) The ability of the community-based organization to provide or raise moneys for matching contributions;

(4) The ability of the community-based organization to establish and administer a reserve fund account which shall receive all contributions from program contributors; and

(5) The significance and quality of proposed auxiliary services, including economic literacy seminars, and their relationship to the goals of the family development account program.

4. No more than [twenty] **fifteen** percent of all funds in the reserve fund account may be used for administrative costs of the program in each of the first two years of the program, and no more than [fifteen] **ten** percent of such funds may be used for administrative costs for any subsequent year. Funds deposited by account holders shall not be used for administrative costs.

5. The department shall promulgate rules and regulations to implement and administer the provisions of sections 208.750 to 208.775. No rule or portion of a rule promulgated pursuant to the authority of sections 208.750 to 208.775 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 25

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 24, Section 100.286, Line 23 of said page, by inserting immediately after said line the following:

"135.400. As used in sections 135.400 to 135.430, the following terms mean:

(1) "Certificate", a tax credit certificate issued by the department of economic development in accordance with sections 135.400 to 135.430;

(2) ["Community bank", either a bank community development corporation or development bank, which are financial organizations which receive investments from commercial financial institutions regulated by the federal reserve, the office of the comptroller of the currency, the office of thrift supervision, or the Missouri division of finance. Community banks, in addition to their other privileges, shall be allowed to make loans to businesses or equity investments in businesses or in real estate provided that such transactions have associated public benefits;

(3) "Community development corporation", a not-for-profit corporation whose board of directors is composed of businesses, civic and community leaders, and whose primary purpose is to encourage and promote the industrial, economic, entrepreneurial, commercial, and civic development or redevelopment of a community or area, including the provision of housing and community development projects that benefit low-income individuals and communities;

(4) "Department", the Missouri department of economic development;

[(5)] (3) "Director", the director of the department of economic development, or a person acting under the supervision of the director;

[(6)] (4) "Investment", a transaction in which a Missouri small business [or a community bank] receives a monetary benefit from an investor pursuant to the provisions of sections 135.403 to 135.414;

[(7)] (5) "Investor", an individual, partnership, financial institution, trust or corporation meeting the eligibility requirements of sections 135.403 to 135.414. In the case of partnerships and nontaxable trusts, the individual partners or beneficiaries shall be treated as the investors;

(6) "Missouri innovation center", an innovation center created under section 348.271, RSMo;

[(8)] (7) "Missouri small business", an independently owned and operated business as defined in Title 15 U.S.C. Section 632(a) and as described by Title 13 CFR Part 121, which is headquartered in Missouri and which employs at least eighty percent of its employees in Missouri, except that no such small business shall employ more than one hundred employees. Such businesses must be involved in interstate or intrastate commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, real estate, insurance or professional services[. For the purpose of qualifying for the tax credit pursuant to sections 135.400 to 135.430, "Missouri small business" shall include cooperative marketing associations organized pursuant to chapter 274, RSMo, which are engaged in the business of producing and marketing fuels derived from agriculture commodities, without regard for whether a cooperative marketing association has more than one hundred employees. Cooperative marketing associations organized pursuant to chapter 274, RSMo, shall not be required to comply with the requirements of section 135.414];

[(9)] (8) "Primary employment", work which pays at least the [minimum] **county average** wage and which is not seasonal or part-time;

[(10)] (9) "Principal owners", one or more persons who own an aggregate of fifty percent or more of the Missouri small business and who are involved in the operation of the business as a full-time professional activity;

[(11)] (10) "Project", any commercial or industrial business or other economic development activity undertaken in a target area, designed to reduce conditions of blight, unemployment or widespread reliance on public assistance which creates permanent primary employment opportunities;

(11) "Rural area", a county with a population of less than seventy-five thousand inhabitants or that does not contain an individual city with a population greater than fifty thousand inhabitants according to the most recent federal consensus;

(12) "Small business development center", a center as referenced in section 620.1003, RSMo;

[(12)] (13) "State tax liability", any liability incurred by a taxpayer pursuant to the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, section 375.916, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions;

[(13)] "Target area", a group of blocks or a self-defined neighborhood where the rate of poverty in the area is greater than twice the national poverty rate and as defined by the department of social services in conjunction with the department of economic development. Areas of the state satisfying the criteria of this subdivision may be designated as a "target area" following appropriate findings made and certified by the departments of economic development and

social services. In making such findings, the departments of economic development and social services may use any commonly recognized records and statistical indices published or made available by any agency or instrumentality of the federal or state government. No area of the state shall be a target area until so certified by the department of social services and the revitalization plan submitted pursuant to section 208.335, RSMo, has received approval.] **(14) "Small business tax credit review committee", a committee consisting of two representatives from the department of economic development, two representatives from the Missouri small business development centers, and one representative from a Missouri innovation center. This committee shall review all applications for the Missouri small business investment tax credit and make recommendations to the department of economic development on the authorization of such tax credits.**

135.403. 1. Any investor who makes a qualified investment **up to one hundred thousand dollars** in a Missouri small business [shall be entitled to receive] **may be issued** a tax credit equal to [forty] **thirty** percent of the amount of the investment [or, in the case of a qualified investment in a Missouri small business in a distressed community as defined by section 135.530, a credit equal to sixty percent of the amount of the investment, and any investor who makes a qualified investment in a community bank or a community development corporation shall be entitled to receive a tax credit equal to fifty percent of the amount of the investment if the investment is made in a community bank or community development corporation for direct investment. The total amount of tax credits available for qualified investments in Missouri small businesses shall not exceed thirteen million dollars and at least four million dollars of the amount authorized by this section and certified by the department of economic development shall be for investment in Missouri small businesses in distressed communities. Authorization for all or any part of this four-million-dollar amount shall in no way restrict the eligibility of Missouri small businesses in distressed communities, as defined in section 135.530, for the remaining amounts authorized within this section. No more than twenty percent of the tax credits available each year for investments in community banks or community development corporations for direct investment shall be certified for any one project, as defined in section 135.400]. **If the investment is in small businesses located in a distressed community as defined in section 135.530 or in a rural area, the investor may be issued tax credits equal to forty percent of the amount of the investment. Effective August 28, 2007, ten million dollars of tax credits each fiscal year shall be available for qualified investments in Missouri small businesses.** The tax credit shall be evidenced by a tax credit certificate in accordance with the provisions of sections 135.400 to 135.430 and may be used to satisfy the state tax liability of the owner of the certificate that becomes due in the tax year in which the qualified investment is made, or in any of the ten tax years thereafter. [When the qualified small business is in a distressed community, as defined in section 135.530, the tax credit may also be used to satisfy the state tax liability of the owner of the certificate that was due during each of the previous three years in addition to the year in which the investment is made and any of the ten years thereafter.] No investor may receive a tax credit pursuant to sections 135.400 to 135.430 unless that person presents a tax credit certificate to the department of revenue for payment of such state tax liability. The department of revenue shall grant tax credits in the same order as established by subsection 1 of section 32.115, RSMo. Subject to the provisions of sections 135.400 to 135.430, certificates of tax credit issued in accordance with these sections may be transferred, sold or assigned by notarized endorsement thereof which names the transferee.

2. [Five hundred thousand dollars in tax credits shall be available annually from the total amount of tax credits authorized by section 32.110, RSMo, and subdivision (4) of subsection 2 of section 32.115, RSMo, as a result of investments in community banks or community development corporations. Aggregate investments eligible for tax credits in any one Missouri small business shall not be more than one million dollars. Aggregate investments eligible for tax credits in any one Missouri small business shall not be less than five thousand dollars as of the date of issuance of the first tax credit certificate for investment in that business.] **All applications for the Missouri small business investment tax credit shall be submitted to the department of economic development. The small business tax credit review committee shall review and qualify all applications for the small business investment tax credit. The department of economic development shall not issue any certificates without the approval of the committee.**

3. [This section and section 620.1039, RSMo, shall become effective January 1, 2001.] **If the investor is an individual, partnership, trust, or corporation meeting the eligibility requirements of sections 135.403 to 135.414, a tax credit shall be issued if approved. In the case of partnerships and nontaxable trusts, the individual partners or beneficiaries shall be treated as the investors. If the investor is a financial institution that has made a loan not to exceed one million dollars to the qualified Missouri small business, the tax credit shall be held as a guarantee on the loan and shall only be issued and redeemed by the financial institution if the small business defaults on the loan within the first five years of the loan."**; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2
to
Senate Amendment No. 27

AMEND Senate Amendment No. 27 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 1, Line 2 of said amendment adding after the word "following" the following:

"Section 1. No person, firm, limited liability company, or corporation shall purchase more than twenty tickets at one time, except that any ticket issuer may allow the purchaser of any amount of tickets through a group sales office."

Senate Amendment No. 27

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 163, Section 620.1881, Line 3, by inserting immediately after all of said line the following:

"[578.395. 1. Any person, firm, or corporation who resells or offers to resell any ticket for admission, or any other evidence of the right of entry, to any public sporting event for a price in excess of the price printed on the ticket is guilty of the offense of ticket scalping. For purposes of this section, if a seller requires, as a precondition of the resale of a ticket, the purchase or rental of other goods or services at a price in excess of the fair market value of such goods or services, the excess amount shall be deemed to be part of the purchase price of the ticket.

2. Nothing in this section shall prohibit nor shall be deemed to prohibit a seller, with consent of the sponsor of such sporting event, from collecting a reasonable service charge from a ticket purchaser in return for services actually rendered.

3. Any person violating this section upon conviction shall be ~~is~~ guilty of a misdemeanor and, except as provided in subsection 4 of this section, shall be punished as follows:

(1) For the first offense, by a fine of not less than fifty dollars nor more than three hundred dollars or by imprisonment in the county jail for a term of not less than fifteen days;

(2) For the second offense, by a fine of not less than three hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for a term of not less than sixty days nor more than six months;

(3) For the third and each subsequent offense, by a fine of not less than five hundred dollars nor more than one thousand dollars or imprisonment in the county jail for a term of not less than six months nor more than one year.

4. In lieu of any fine imposed under subsection 3 of this section, the court may invoke the provisions of subsection 2 of section 560.016, RSMo, against any person convicted of a second or subsequent offense of this section.]" and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 28

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 87, Section 135.1150, Line 14 of said page, by inserting immediately after said line the following:

"142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subsection (1) of this section, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010, RSMo. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the

ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor;

The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and © of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel school buses, as such term is defined under subdivision (19) of section 302.010, RSMo, on the public roads and highways of this state when leased or owned and when being operated by a public school district of this state, or leased or owned by a person under contract with such district for the provision of bus services for educational purposes. The exemption for use under this subdivision shall be made available to the school district for whose educational purposes the fuel is consumed, whether the fuel was purchased by such school district or by another under a contract to provide bus service for such school district, upon a refund application stating that the motor fuel was purchased for the exclusive use of the school districts.

(5) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

[(5)] (6) Motor fuel sold within an Indian reservation or within Indian country by a federally recognized Indian tribe to a member of that tribe and used in motor vehicles owned by a member of the tribe within Indian country. This exemption does not apply to sales within an Indian reservation or within Indian country by a federally recognized Indian tribe to non-Indian consumers or to Indian consumers who are not members of the tribe selling the motor fuel. This exemption shall be administered as provided in section 142.821;

[(6)] (7) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

[(7)] (8) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

[(8)] (9) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

[(9)] (10) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 29

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Page 55, Section 135.630, Line 21 of said page, by inserting immediately after said line the following:

"135.660. 1. This section shall be known and may be cited as the "Qualified Beef Tax Credit Act".

2. As used in this section, the following terms mean:

(1) "Agricultural property", any real and personal property, including but not limited to buildings, structures, improvements, equipment, and livestock, that is used in or is to be used in this state by residents of this state for:

(a) The operation of a farm or ranch; and

(b) Grazing, feeding, or the care of livestock;

(2) "Authority", the agricultural and small business development authority established in chapter 348, RSMo;

(3) "Qualifying beef animal", any beef animal that is certified by the authority, that was born in this state after August 28, 2008, that was raised and backgrounded or finished in this state by the taxpayer, and that weighs more than four hundred fifty pounds, excluding any beef animal more than thirty months of age;

(4) "Qualifying sale", the first time a qualifying beef animal is sold in this state after the qualifying beef animal's weight reaches four hundred fifty pounds, and a subsequent sale if the weight of the qualifying beef animal at the time of the subsequent sale is greater than the weight of the qualifying beef animal at the time of the first qualifying sale of such beef animal;

(5) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or otherwise due under chapter 147, RSMo;

(6) "Taxpayer", any individual or entity who:

(a) Is subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax imposed in chapter 147, RSMo;

(b) In the case of an individual, is a resident of this state; and

(c) Owns or rents agricultural property.

3. For all taxable years beginning on or after January 1, 2009, but ending on or before December 31, 2016, a taxpayer shall be allowed a tax credit for each qualifying sale of a qualifying beef animal. The tax credit amount shall be based on the qualifying beef animal's weight at the time of the first qualifying sale, and shall be equal to ten cents per pound above four hundred fifty pounds and for a subsequent qualifying sale, ten cents per pound above the weight of the qualifying beef animal at the time of the first qualifying sale of such beef animal or four hundred fifty pounds, whichever weight is greater.

4. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed. No tax credit claimed under this section shall be refundable. The tax credit shall be claimed in the taxable year in which the qualifying sale of the qualifying beef occurred, but any amount of credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years and carried backward to any of the taxpayer's three previous taxable years. The amount of tax credits that may be issued to all eligible applicants claiming tax credits authorized in this section in a fiscal year shall not exceed ten million dollars, and the cumulative amount of tax credits that may be issued to all eligible applicants claiming all tax credits authorized in this section shall not exceed thirty million dollars.

5. To claim the tax credit allowed under this section, the taxpayer shall submit to the authority an application for the tax credit on a form provided by the authority. The application shall be filed with the authority at the end of each calendar year in which a qualified sale was made and for which a tax credit is claimed under this section. The application shall include any documentation and information required by the authority. All required information obtained by the authority shall be confidential and not disclosed except by court order or as otherwise provided by law. If the taxpayer and the qualified sale meets all criteria required by this section and is approved by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credit certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax credit as the original taxpayer. Whenever a tax credit certificate is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit certificate or the value of the tax credit.

6. Any information provided under this section shall be confidential information, to be shared with no one except state and federal animal health officials, and shall not be subject to subpoena or other compulsory production.

7. The department of agriculture and the authority may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. This section shall not be subject to the Missouri sunset act, sections 23.250 to 23.298, RSMo."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 678**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 204**, entitled:

An act to repeal sections 142.031, 414.255, and 414.365, RSMo, and to enact in lieu thereof three new sections relating to biodiesel, with penalty provisions.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 327, as amended, relating to job development, was taken up by Representative Richard.

Representative Richard moved that the House refuse to adopt **SS SCS HCS HB 327, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Pearce assumed the Chair.

PERFECTION OF HOUSE BILL

HB 215, relating to juvenile courts, was taken up by Representative Stevenson.

Representative Bearden offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 215, Page 1, Section 211.021, Line 1, by inserting immediately preceding all of said line the following:

"167.031. 1. Every parent, guardian or other person in this state having charge, control or custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent attendance in a combination of such schools and between the ages of seven years and the compulsory attendance age for the district is responsible for enrolling the child in a program of academic instruction which complies with subsection 2 of this section. Any parent, guardian or other person who enrolls a child between the ages of five and seven years in a public school program of academic instruction shall cause such child to attend the academic program on a regular basis, according to this section. Nonattendance by such child shall cause such parent, guardian or other responsible person to be in violation of the provisions of section 167.061, except as provided by this section. A parent, guardian or other person in this state having charge, control, or custody of a child between the ages of seven years of age and the compulsory attendance age for the district shall cause the child to attend regularly some public, private, parochial, parish, home school or a combination of such schools not less than the entire school term of the school which the child attends; except that:

(1) A child who, to the satisfaction of the superintendent of public schools of the district in which he resides, or if there is no superintendent then the chief school officer, is determined to be mentally or physically incapacitated may be excused from attendance at school for the full time required, or any part thereof;

(2) A child between fourteen years of age and the compulsory attendance age for the district may be excused from attendance at school for the full time required, or any part thereof, by the superintendent of public schools of the district, or if there is none then by a court of competent jurisdiction, when legal employment has been obtained by the child and found to be desirable, and after the parents or guardian of the child have been advised of the pending action; or

(3) A child between five and seven years of age shall be excused from attendance at school if a parent, guardian or other person having charge, control or custody of the child makes a written request that the child be dropped from the school's rolls.

2. (1) As used in sections 167.031 to 167.071, a "home school" is a school, whether incorporated or unincorporated, that:

(a) Has as its primary purpose the provision of private or religious-based instruction;

(b) Enrolls pupils between the ages of seven years and the compulsory attendance age for the district, of which no more than four are unrelated by affinity or consanguinity in the third degree; and

(c) Does not charge or receive consideration in the form of tuition, fees, or other remuneration in a genuine and fair exchange for provision of instruction.

(2) As evidence that a child is receiving regular instruction, the parent shall, except as otherwise provided in this subsection:

(a) Maintain the following records:

a. A plan book, diary, or other written record indicating subjects taught and activities engaged in; and

b. A portfolio of samples of the child's academic work; and

c. A record of evaluations of the child's academic progress; or

d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and

(b) Offer at least one thousand hours of instruction, at least six hundred hours of which will be in reading, language arts, mathematics, social studies and science or academic courses that are related to the aforementioned subject areas and consonant with the pupil's age and ability. At least four hundred of the six hundred hours shall occur at the regular home school location.

(3) The requirements of subdivision (2) of this subsection shall not apply to any pupil above the age of sixteen years.

3. Nothing in this section shall require a private, parochial, parish or home school to include in its curriculum any concept, topic, or practice in conflict with the school's religious doctrines or to exclude from its curriculum any concept, topic, or practice consistent with the school's religious doctrines. Any other provision of the law to the contrary notwithstanding, all departments or agencies of the state of Missouri shall be prohibited from dictating through rule, regulation or other device any statewide curriculum for private, parochial, parish or home schools.

4. A school year begins on the first day of July and ends on the thirtieth day of June following.

5. The production by a parent of a daily log showing that a home school has a course of instruction which satisfies the requirements of this section or, in the case of a pupil over the age of sixteen years who attended a metropolitan school district the previous year, a written statement that the pupil is attending home school in compliance with this section shall be a defense to any prosecution under this section and to any charge or action for educational neglect brought pursuant to chapter 210, RSMo.

6. As used in sections 167.031 to 167.051, the term "compulsory attendance age for the district" shall mean:

(1) Seventeen years of age for any metropolitan school district for which the school board adopts a resolution to establish such compulsory attendance age; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted; and

(2) Sixteen years of age in all other cases.

The school board of a metropolitan school district for which the compulsory attendance age is seventeen years may adopt a resolution to lower the compulsory attendance age to sixteen years; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted.

[7. The provisions of this section shall apply to any parent, guardian, or other person in this state having charge, control, or custody of a child between the ages of fifteen and eighteen if such child has not received a high school diploma or its equivalent and a court order has been issued as to such child under section 211.034, RSMo.]; and

Further amend House Bill No. 215, Page 3, Section 211.031, Line 36, by inserting after the word "law" the following:

"prior to attaining the age of seventeen years"; and

Further amend House Bill No. 215, Page 3, Section 211.031, Line 36, by inserting immediately preceding the second occurrence of the word "or" a bracket "["; and

Further amend House Bill No. 215, Page 3, Section 211.031, Line 37, by inserting immediately following the first occurrence of the word "ordinance" a closed bracket "]""; and

Further amend House Bill No. 215, Page 3, Section 211.031, Line 37, by inserting after the first occurrence of the word "or" the following:

"involving any child or person who is alleged to have violated"; and

Further amend House Bill No. 215, Page 3, Section 211.031, Line 37, by inserting immediately following the word "any" the following:

"municipal ordinance prior to attaining the age of eighteen years"; and

Further amend House Bill No. 215, Page 3, Section 211.031, Line 37, by inserting immediately preceding the word "person" a bracket "["; and

Further amend House Bill No. 215, Page 3, Section 211.031, Line 38, by inserting immediately following the word "years" a closed bracket "]""; and

Further amend House Bill No. 215, Page 6, Section 211.033, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"211.033. When a child of seventeen years is arrested for a violation of the criminal code, the child shall be treated as an adult until such time as the juvenile court and state or federal prosecuting attorney determine the child shall be treated as a juvenile. When a child is detained on a status offense by a law enforcement officer, the seventeen year old shall be treated as a juvenile for all purposes until such time as the individual is charged with a criminal code violation or certified as an adult. Except in such cases and cases of children transferred to a court of general jurisdiction under section 211.071, no person under the age of [seventeen] eighteen years[, except those transferred to the court of general jurisdiction under the provisions of section 211.071] shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of [seventeen] eighteen to a juvenile detention facility."; and

Further amend House Bill No. 215, Page 6, Section 211.041, Line 1, by inserting immediately preceding all of said line, the following:

"211.034. [1. Any parent, legal guardian, or other person having legal custody of a minor child may, at any time after the minor child attains fifteen years of age and before the minor child attains eighteen years of age, petition the circuit court for the county where the minor child and parent, legal guardian, or other person having legal custody of the minor child reside to extend the jurisdiction of the juvenile court until the minor child reaches the age of eighteen years.

2. The petition shall be accompanied by verified proof of service on the minor child and certified copies of documents demonstrating that the petitioner is the parent, legal guardian, or other legal custodian of the minor child. If the petitioner is not the natural parent of the minor child, the petition shall be accompanied by:

- (1) An affidavit from at least one of the child's natural parents consenting to the granting of the petition; or**
- (2) An affidavit from the petitioner stating that the natural parents:**
 - (a) Are deceased;**
 - (b) Have been declared legally incompetent;**
 - (c) Have had their parental rights as to the minor child terminated by a court of competent jurisdiction;**

- (d) Have voluntarily surrendered their parental rights as to the minor child;
- (e) Have abandoned the minor child;
- (f) Are unknown; or
- (g) Are otherwise unavailable, in which case, the affidavit shall state the reasons why the natural parents are unavailable.

In all cases where any parent, legal guardian, or other person having legal custody of a minor child petitions the court to extend the jurisdiction of the juvenile court until the minor child's eighteenth birthday, the court shall appoint an attorney to represent the minor child. An individual filing the petition shall pay the attorney fees of the minor child.

3. Upon the filing of a petition under this section and a determination by the court in favor of the petitioner, the circuit court shall issue an order declaring that the minor child shall remain under the jurisdiction of the juvenile court for all purposes under state law until the minor child reaches eighteen years of age; except that, for purposes of criminal law and procedure, including arrest, prosecution, trial, and punishment, if the minor is certified as an adult, the minor shall remain a certified adult despite the issuance of a court order under this section. Such minor child shall be subject to the compulsory school attendance requirements of section 167.031, RSMo, until the minor child receives a high school diploma or its equivalent, or reaches eighteen years of age. The court order shall be filed with the circuit clerk for the county where the petitioner resides.

4.] Nothing in this section shall be construed as creating any civil or criminal liability for any law enforcement officer, juvenile officer, school personnel, or court personnel for any action taken or failure to take any action involving a minor child who remains under the jurisdiction of the juvenile court under this section if such action or failure to take action is based on a good faith belief by such officer or personnel that the minor child is not under the jurisdiction of the juvenile court."; and

Further amend House Bill No. 215, Page 6, Section 211.061, Line 4, by inserting at the end of said line the following:

"If the child is seventeen years of age, the juvenile court or juvenile officer shall treat the child as a juvenile unless and until such time as the state or federal prosecuting attorney for the county charges the child with a criminal violation of state law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Bill No. 215, Page 3, Section 211.031, Line 38, by deleting "eighteen" and inserting in lieu thereof the word "seventeen"; and

Further amend Page 6, Section 211.033, Line 1, by deleting "eighteen" and inserting in lieu thereof the word "seventeen,"; and

Further amend Page 6, Line 5, Section 211.033, by deleting "eighteen" and inserting in lieu thereof the word "seventeen"; and

Further amend Page 6, Section 211.041, Line 12, by deleting "eighteen" and inserting in lieu thereof the word "seventeen"; and

Further amend Page 6, Section 211.061, Line 7, by deleting "eighteen" and inserting in lieu thereof the word "seventeen"; and

Further amend Page 7, Section 211.071, Line 2, by deleting "eighteen" and inserting in lieu thereof "seventeen";
and

Further amend Section 211.071, Page 15, by deleting "eighteen" and inserting in lieu thereof "seventeen"; and

Further amend Page 9, Section 211.073, Line 1, by deleting "eighteen" and inserting in lieu thereof "seventeen".

HB 215, with House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 54 - Rules

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 19 - Budget

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 159** (Fiscal Note), begs leave to report it has been **furnished an updated fiscal note and does not require fiscal review**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 827** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 916** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 952 & 674** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 16** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SCS SB 66**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Immigration, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 1251**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1678**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 12**, begs leave to report it has examined the same and recommends that it **Do Not Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 347**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 646**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 735**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 919**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SENATE CONSENT BILLS

Pursuant to Rule 45(f), the following bills have remained on the Senate Bills for Third Reading Consent Calendar for five legislative days without any objection, and all committee substitutes and committee amendments thereto adopted by consent: **HCS SCS SB 272** and **SB 407**.

WITHDRAWAL OF HOUSE BILLS

April 12, 2007

Adam Crumbliss
Chief Clerk
State Capitol Bldg., Rm. 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I wish to withdraw **House Bill No. 704**.

Thank you in advance for your assistance.

Sincerely,

/s/ Ray Weter
State Representative
142nd District

April 16, 2007

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request that **House Bill No. 1278** be withdrawn. Thank you for your consideration of this request.

Sincerely,

/s/ Nathan D. Cooper
State Representative
District 158

The following member's presence was noted: Wright-Jones.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, April 17, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 3.

Select programs from the Department of Elementary and Secondary Education.

BUDGET

Wednesday, April 18, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 19

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 18, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SB 419

CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, April 17, 2007, Hearing Room 4 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: SB 502, SB 648

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 45, HB 703, HB 885, SB 550, SB 269, SCS SB 369

ELECTIONS

Tuesday, April 17, 2007, 9:00 a.m. Hearing Room 5.

Executive session.

HEALTH CARE POLICY

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1067, HB 682, HB 1061, HB 463

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Tuesday, April 17, 2007, 1:30 p.m. Bingham Conference Room.

Department Update - Information Only. CANCELLED

JUDICIARY

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1135, SCS SB 67, SCS SB 163, SB 481

LOCAL GOVERNMENT

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1091, HB 1136, HB 1058, SS SCS SB 22

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1192, SS SB 417

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, April 17, 2007, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearing to be held on: SCS SB 328

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 18, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 640, SB 19, SB 306

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 17, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid Reform.

This session will focus on hospitals, ASO's, and managed care.

If you would like to testify call 573-751-2183. AMENDED

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 18, 2007, 12:00 p.m. To Be Announced.

Working session on Medicaid Reform.

This session will include long-term care, partnership, premium offset, and various other topics.

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 7.

Executive session.

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, April 18, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1104

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1126, SS SCS SBs 239, 24 & 445

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 1052, HB 1272, HB 1281

SPECIAL COMMITTEE ON VETERANS

Tuesday, April 17, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1250, SB 666

TRANSPORTATION

Tuesday, April 17, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1117, HB 1118, SCS SBs 45 & 39, SCS SB 52, SB 549

HOUSE CALENDAR

FIFTY-EIGHTH DAY, TUESDAY, APRIL 17, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 17 - Icet
- 2 HCS HB 18 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HCS HB 466 - Schaaf
- 6 HCS HB 771 - Bearden
- 7 HCS HBs 180, 396 & 615 - Day
- 8 HCS HB 238 - Yates
- 9 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 10 HCS HB 788 - Cooper (155)
- 11 HCS HB 218 - Stevenson
- 12 HCS HB 811 - Schad
- 13 HB 412 - Emery
- 14 HB 215, HSA 1 for HA1, HA 1, pending - Stevenson

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- 15 HB 432 - Schaaf
- 16 HCS HB 699 - Tilley
- 17 HCS HB 768 - St. Onge
- 18 HCS HB 122 - Nance
- 19 HCS HB 487 - Cooper (120)
- 20 HCS HB 493 - Baker (123)
- 21 HCS HB 512 - Pratt
- 22 HCS HB 261, as amended - Yates
- 23 HB 746 - Franz
- 24 HB 882 - Page
- 25 HCS HB 1002 - Fisher
- 26 HCS HB 124 - Nance
- 27 HB 134 - Guest
- 28 HCS HB 765, HA 1, pending - Dempsey
- 29 HCS HBs 807 & 690 - Baker (123)
- 30 HCS HB 121 - Nance
- 31 HB 249 - Moore
- 32 HCS HB 252 - Robb
- 33 HCS HB 417 - Cunningham (86)
- 34 HCS HB 478 - Dethrow
- 35 HCS HB 490 - Baker (123)
- 36 HCS HB 508 - Schaaf
- 37 HCS HB 709 - Dethrow
- 38 HB 821 - Onder
- 39 HCS HB 995 - Hobbs
- 40 HCS#2 HB 85 - Kraus
- 41 HCS HB 399 - Walton
- 42 HCS HB 624 - Wilson (119)
- 43 HCS#2 HB 752 - Sutherland
- 44 HCS HB 1000 - Storch
- 45 HCS HB 1044 - Deeken
- 46 HCS HB 244 - Wells
- 47 HCS HB 461 - Cooper (155)
- 48 HCS HB 587 - Tilley
- 49 HCS HB 628 - Loehner
- 50 HCS HB 629 - Hunter
- 51 HB 647 - Young
- 52 HCS HB 872 - Cooper (158)
- 53 HCS HB 913 - Cooper (120)
- 54 HB 932 - Grill
- 55 HCS HB 1055 - Sander (3 hours debate on Perfection)
- 56 HCS HB 948 - Schaaf
- 57 HCS HB 1089 - Stevenson

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HCS HB 827 - Muschany
- 3 HCS HB 891, (Fiscal Review 4-04-07) - Kratky
- 4 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
- 5 HCS HB 159 - Bivins
- 6 HCS HB 329 - Cunningham (145)
- 7 HCS HBs 952 & 674 - Wilson (130)
- 8 HCS HB 98, (Fiscal Review 4-12-07) - Parson
- 9 HB 916 - Dougherty

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILL FOR SECOND READING

SS#2 SCS SB 204

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken

(4/12/07)

HCS SB 322 - Cooper (158)

(4/16/07)

- 1 HCS SB 166 - Wood
- 2 SB 172 - Flook
- 3 HCS SB 270 - Jones (117)
- 4 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 5 SB 298 - Schaaf
- 6 SCS SB 397 - Schaaf
- 7 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 SCS SB 16 - Pearce
- 2 HCS SB 30, (Fiscal Review 4-12-07), E.C. - Stevenson
- 3 HCS SCS SB 64, (Fiscal Review 4-12-07), E.C. - Wallace
- 4 HCS SB 81 - Schlottach
- 5 HCS SCS SB 198 - Pollock
- 6 SB 233 - Stevenson
- 7 HCS SCS SB 308, (Fiscal Review 4-12-07) - Wasson
- 8 HCS SB 376, E.C. - Wood
- 9 HCS#2 SB 406, (Fiscal Review 4-12-07) - Wallace
- 10 HCS SB 416 - Pratt
- 11 SCS SB 302 - Pratt

BILL CARRYING REQUEST MESSAGE

SS SCS HCS HB 327 (request Senate recede/grant conference), E.C. - Richard

SENATE CONCURRENT RESOLUTION

SCR 18, (3-12-07, Page 892) - Deeken

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, TUESDAY, APRIL 17, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Gregory Higley.

This morning, dear Heavenly Father, we lift up a prayer for our brothers and sisters in Blacksburg, Virginia. We hold in our hearts the students who were killed and we grieve with their parents and schoolmates and friends. We beg You, Lord of Life, to strengthen them through the love of their friends and community members who reach out to them and embrace them with their compassion.

We pray also for the administration, staff, faculty, and students who carry the burden of sadness, confusion, and shock today and for weeks to come. Move them to reach out to one another in support and friendship so they may continue to pursue their dreams and achieve their goals at Virginia Tech.

This prayer we bring to You in a spirit of humble gratitude for the many blessings we receive from You as our Creator and Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Peter Baugh, Gussie Busch, Taylor Dubray, Megan Bucol, Gabrielle Menendez, Michael Odenwald, Gina Palumbo, Devin Fuller, Kylin Hairston, Luke Bakula, Owen Eigenberg, Tyler Wojtow and Shelby Wojtow.

The Journal of the fifty-seventh day was approved as printed.

SPECIAL RECOGNITION

Jan Reding was introduced by Representatives Dusenberg and Pratt and recognized as an Outstanding Missourian.

The Oak Park High School Wrestling Team was recognized by Representative Silvey and recognized for attaining the 2007 Missouri State Class 4 Wrestling Championship.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 327, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Griesheimer, Koster, Crowell, Callahan and Kennedy.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

SS SCS HCS HB 327: Representatives Richard, Robb, Jetton, Kratky and Zwiefel

Representative Cox assumed the Chair.

SECOND READING OF SENATE BILL

SS#2 SCS SB 204 was read the second time.

PERFECTION OF HOUSE BILL

HCS HB 1055, relating to abortions, was taken up by Representative Sander.

Representative Cooper (120) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1055, Page 3, Section 170.015, Line 53, by inserting after the word "**services**" the following:

", provided that a licensed hospital, as defined by subsection 2 of section 197.020, RSMo, may be permitted to provide course materials and instruction"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1055, Page 3, Section 170.015, Lines 50 through 53, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 041

Aull	Baker 25	Brown 50	Burnett	Chappelle-Nadal
Cooper 120	Curls	Darrough	Daus	Donnelly
El-Amin	Fares	Frame	Harris 23	Haywood
Holsman	Hoskins	Hubbard	Johnson	Komo
Lampe	LeVota	Low 39	Lowe 44	Nasheed
Norr	Oxford	Page	Shively	Skaggs
Storch	Talboy	Vogt	Walton	Whorton
Wildberger	Witte	Wright-Jones	Young	Zimmerman
Zweifel				

NOES: 116

Avery	Baker 123	Bearden	Bivins	Bland
Brandom	Bringer	Casey	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fisher	Flook	Franz
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Kuessner	Lembke	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yaeger	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Brown 30	Bruns	Funderburk	Hughes
Quinn 9				

Representative Cooper (120) moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Aull	Baker 25	Bland	Brown 50	Burnett
Chappelle-Nadal	Cooper 120	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fares	Frame
Guest	Harris 23	Haywood	Holsman	Hoskins
Hubbard	Johnson	Komo	Lampe	LeVota
Low 39	Lowe 44	McClanahan	Nasheed	Norr
Oxford	Page	Schaaf	Schneider	Skaggs
Storch	Talboy	Tilley	Vogt	Walton
Whorton	Wildberger	Witte	Wright-Jones	Young
Zimmerman	Zweifel			

NOES: 108

Avery	Baker 123	Bearden	Bivins	Brandom
Bringer	Casey	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fisher	Flook	Franz	George	Grill
Grisamore	Harris 110	Hobbs	Hodges	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kratky	Kraus	Kuessner	Lembke	Liese
Lipke	Loehner	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yaeger	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Brown 30	Bruns	Funderburk	Hughes
Pratt	Quinn 9	Sater		

Speaker Pro Tem Bearden assumed the Chair.

Representative Burnett offered **House Amendment No. 2**.

Representative Stevenson raised a point of order that **House Amendment No. 2** was not timely distributed.

The Chair ruled the point of order well taken.

Representative Baker (25) offered **House Amendment No. 3**.

Representative Stevenson raised a point of order that **House Amendment No. 3** was not timely distributed.

The Chair ruled the point of order well taken.

Representative Low (39) offered **House Amendment No. 4**.

Representative Stevenson raised a point of order that **House Amendment No. 4** was not timely distributed.

The Chair ruled the point of order well taken.

HCS HB 1055 was laid over.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 30** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bobby Onder, Elizabeth Onder, Michael Onder, Joseph Onder, Christine Onder, Peter Onder, Yvonne "Punkin" Foreman, Lauren Rogers, Logan Rogers and Levi Ireland.

SPECIAL RECOGNITION

J. Kim Tucci was introduced by Representative Storch and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2015 through House Resolution No. 2200

THIRD READING OF SENATE BILL

HCS SB 30, relating to taxation, was taken up by Representative Stevenson.

Representative Stevenson offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 30, Page 1, Section 32.130, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 1** was adopted.

Representative Dempsey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 30, Page 2, Section 67.997, Line 1, by inserting before all of said section the following:

**"67.113. 1. This section shall be known and may be cited as "The Children's Services Protection Act".
2. Any city or county which has levied the sales tax under section 67.1775 to provide services for children in need shall reimburse the community children's services fund in an amount equal to the portion of revenue from the tax that is used for or diverted to any redevelopment plan or project approved or adopted after August 28, 2007, in any tax increment financing district in any county in this state.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Dempsey, **House Amendment No. 2** was adopted.

Representative Ruestman offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 30, Section 71.012, Page 7, Line 69, by inserting after said section, the following:

"135.610. 1. As used in this section, the following terms mean:
(1) **"Monetary compensation", includes any economic return for services and shall not include:**
(a) **Life insurance, sickness, health, disability, annuity, length of service, retirement, pension, and other employee-type fringe benefits;**
(b) **De minimus compensation to pay for fuel, minor costs related to transportation, and other minor operation costs;**
(2) **"Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;**
(3) **"Taxpayer", any volunteer firefighter subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;**
(4) **"Volunteer firefighter", any firefighter in this state who is in the service of any fire department or fire protection district, including but not limited to any municipal, volunteer, rural, or subscription fire department or organization, or volunteer fire protection association, who receives no monetary compensation for the firefighter's services.**

2. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit as provided in this section. The tax credit authorized in this section shall be claimed as follows:

(1) The taxpayer may claim a tax credit in the amount of one hundred eighty dollars if the taxpayer has completed at least twelve hours of any firefighter training program approved by the office of the state fire marshal up to three years before or in the tax year for which the tax credit is claimed. The taxpayer may claim the tax credit authorized in this subdivision in each subsequent tax year if the taxpayer completes at least twelve hours of any firefighter training program approved by the office of the state fire marshal, to include but not be limited to hazardous materials training and incident management systems training in such subsequent tax year; or

(2) The taxpayer may claim a tax credit in the amount of three hundred sixty dollars if the taxpayer has completed the office of the state fire marshal's thirty-six hour basic firefighter program or a firefighter training program approved by the office of the state fire marshal up to three years before or in the tax year for which the tax credit is claimed. The taxpayer may claim the tax credit authorized in this subdivision in each subsequent tax year if the taxpayer completes at least thirty-six hours of firefighter training approved by the office of the state fire marshal in such subsequent tax year.

3. If the amount of the tax credit issued exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall not be refundable but may be carried forward to any of the taxpayer's four subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. The tax credit provided in this section shall be claimed by the taxpayer at the time such taxpayer files a return, and shall be applied against the taxpayer's income tax liability after all other credits provided by law have been applied. The director of revenue shall establish the procedure by which the tax credit in this section may be claimed.

4. The state fire marshal may develop or approve existing training programs for volunteer firefighters, may establish procedures for providing documentation that the taxpayer is a volunteer firefighter in good standing with a registered fire department, as required in chapter 320, RSMo, and has completed the training requirements in this section.

5. The department of revenue and the state fire marshal may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

6. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruestman, **House Amendment No. 3** was adopted.

Representative Emery offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 30, Section 143.432, Page 9, Line 2, by inserting after the words, "manufacturer in this state", the following words, "and any existing Missouri corporation that manufactures a similar product and is in direct competition with the new manufacturer as defined by the same market"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 4** was adopted.

Representative Dougherty offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 30, Page 7, Section 71.012, by inserting after all of said section the following:

"82.875. 1. The governing body of any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one percent of the gross receipts of such retail sales, may be imposed in increments of one-eighth of one percent, and shall be imposed solely for the purpose of funding police services provided by the police department of the city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Police Services Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited

to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 5** was adopted.

Representative Faith offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 30, Page 26, Section 208.755, by inserting after all of said section the following:

"238.410. 1. Any county transit authority established pursuant to section 238.400 may impose a sales tax of up to one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed under the provisions of this section shall be effective unless the governing body of the county, on behalf of the transit authority, submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the transit authority to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the Transit Authority impose a countywide sales tax of (insert amount) in order to provide revenues for the operation of transportation facilities operated by the transit authority?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective on the first day of the second calendar quarter following notification to the department of revenue of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the transit authority shall have no power to impose the sales tax authorized by this section unless and until another proposal to authorize the transit authority to impose the sales tax authorized by this section has been submitted and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by the transit authority from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely by the transit authority for construction, purchase, lease, maintenance and operation of transportation facilities located within the county for so long as the tax shall remain in effect. Any funds in such special trust fund which are not needed for current expenditures may be invested by the transit authority in accordance with applicable laws relating to the investment of county funds.

4. No transit authority imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment is submitted to and approved by the voters of the county in the same manner as provided in subsection 1 of this section for approval of such tax. Whenever the governing body of any county in which a sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the registered voters of such county voting in the last gubernatorial election, calling for an election to repeal such sales tax, the governing body shall submit to the voters of such county a proposal to repeal the sales tax imposed under the provisions of this section. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal the sales tax, then such sales tax is repealed. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the sales tax, then such sales tax shall remain in effect.

5. The sales tax imposed under the provisions of this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, RSMo, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate approved pursuant to this section. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the

tax imposed by sections 144.010 to 144.525, RSMo, and the tax imposed by this section, plus any amounts imposed under other provisions of law.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the applicable provisions of section 144.285, RSMo, shall apply to all taxable transactions.

7. All applicable provisions contained in sections 144.010 to 144.525, RSMo, governing the state sales tax and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax imposed by this section. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by this section. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under chapter 144, RSMo, are hereby allowed and made applicable to any taxes collected under the provisions of this section. The penalties provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, for a violation of those sections are hereby made applicable to violations of this section.

8. For the purposes of a sales tax imposed pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer, except for tangible personal property sold which is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination and except for the sale of motor vehicles, trailers, boats and outboard motors, which is provided for in subsection 12 of this section. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which he works.

9. All sales taxes collected by the director of revenue under this section on behalf of any transit authority, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in this section, shall be deposited in the state treasury in a special trust fund, which is hereby created, to be known as the "County Transit Authority Sales Tax Trust Fund". The moneys in the county transit authority sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each transit authority imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the transit authority which levied the tax.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any transit authority for erroneous payments and overpayments made, and may authorize the state treasurer to redeem dishonored checks and drafts deposited to the credit of such transit authorities. If any transit authority abolishes the tax, the transit authority shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such transit authority, the director of revenue shall authorize the state treasurer to remit the balance in the account to the transit authority and close the account of that transit authority. The director of revenue shall notify each transit authority of each instance of any amount refunded or any check redeemed from receipts due the transit authority. The director of revenue shall annually report on his management of the trust fund and administration of the sales taxes authorized by this section. He shall provide each transit authority imposing the tax authorized by this section with a detailed accounting of the source of all funds received by him for the transit authority.

11. The director of revenue and any of his deputies, assistants and employees, who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of this section shall enter a surety bond or bonds payable to any and all transit authorities in whose behalf such funds have been collected under this section in the amount of one hundred thousand dollars; but the director of revenue may enter into a blanket bond or bonds covering himself and all such deputies, assistants and employees. The cost of the premium or premiums for the surety bond or bonds shall be paid by the director of revenue from the share of the collection retained by the director of revenue for the benefit of the state.

12. Sales taxes imposed pursuant to this section and use taxes on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county where a sales tax is imposed under this section. The amounts so collected, less the one percent collection cost, shall be deposited in the county transit authority sales tax trust fund. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant. As used in this subsection, the term "boat" shall only include motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010, RSMo.

13. In any county where the transit authority sales tax has been imposed, if any person is delinquent in the payment of the amount required to be paid by him under this section or in the event a determination has been made against him for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525, RSMo. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under this section, the director of revenue shall notify the transit authority to which delinquent taxes are due under this section by United States registered mail or certified mail at least ten days before turning the case over to the attorney general. The transit authority, acting through its attorney, may join in such suit as a party plaintiff to seek a judgment for the delinquent taxes and penalty due such transit authority. In the event any person fails or refuses to pay the amount of any sales tax due under this section, the director of revenue shall promptly notify the transit authority to which the tax would be due so that appropriate action may be taken by the transit authority.

14. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by this section, the director of revenue shall permit the transit authority to join in any sale of property to pay the delinquent taxes and penalties due the state and to the transit authority under this section. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such transit authority under this section.

15. The transit authority created under the provisions of sections 238.400 to 238.412 shall notify any and all affected businesses of the change in tax rate caused by the imposition of the tax authorized by sections 238.400 to 238.412.

16. In the event that any transit authority in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants submits a proposal in any election to increase the sales tax under this section, and such proposal is approved by the voters, the county shall be reimbursed for the costs of submitting such proposal from the funds derived from the tax levied under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 6** was adopted.

Representative Zweifel offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 30, Section 71.012, Page 7, Line 69, by inserting after all of said section, the following:

"135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106, RSMo, in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then [he] **the director** shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less [two] **four** thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

- (d) No deduction being allowed for losses not incurred in a trade or business;
- (e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;
- (6) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;
- (7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year.

135.030. 1. As used in this section:

(1) [The term "maximum upper limit" shall, in the calendar year 1989, be the sum of thirteen thousand five hundred dollars. For each calendar year through December 31, 1992, the maximum upper limit shall be increased by five hundred dollars per year. For calendar years after December 31, 1992, and prior to calendar year 1998, the maximum upper limit shall be the sum used on December 31, 1992.] For each calendar year after December 31, 1997, **and before calendar year 2007**, the term "maximum upper limit" shall be the sum of twenty-five thousand dollars. **For the calendar year beginning on January 1, 2007, the maximum upper limit shall be the sum of thirty thousand dollars, and for all subsequent calendar years such limit shall be increased in one-hundred-dollar increments on the first day of January in each year by the same percentage of increase in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics of the United States Department of Labor, or its successor index;**

(2) [The term "minimum base" shall, in the calendar year 1989, be the sum of five thousand dollars. For each succeeding calendar year through December 31, 1992, the minimum base shall be increased, in one hundred-dollar increments, by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor, or its successor agency, or five percent, whichever is greater. The increase in the index shall be that as first published by the Department of Labor for the calendar year immediately preceding the year in which the minimum base is calculated. For calendar years after December 31, 1992, and prior to calendar year 1998, the minimum base shall be the sum used on December 31, 1992.] For each calendar year after December 31, 1997, **and before calendar year 2007**, the term "minimum base" shall be the sum of thirteen thousand dollars. **For the calendar year beginning on January 1, 2007, the minimum base shall be the sum of eighteen thousand dollars, and for all subsequent calendar years such base shall be increased in one-hundred-dollar increments on the first day of January in each year by the same percentage of increase in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics of the United States Department of Labor, or its successor index.**

2. When calculating the **maximum upper limit and the minimum base** for purposes of this section, whenever the increase in the Consumer Price Index used in the calculation would result in a figure which is greater than one one-hundred-dollar increment but less than another one-hundred-dollar increment, the director of revenue shall always round that figure off to the next higher one-hundred-dollar increment when determining the table of credits under this section.

3. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:

Not over the minimum base

The percent is:

0 percent with credit not
to exceed actual property tax
or rent equivalent paid up to \$750

Over the minimum base but
not over the maximum upper
limit

[1/16] 1/32 percent accumulative
per \$300 from 0 percent to 4 percent

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term "accumulative" means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

4. Notwithstanding [the provision of] subsection 4 of section 32.057, RSMo, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of [his or her] **the claimant's** potential eligibility, where the department determines such potential eligibility exists.

135.634. 1. As used in this section, the following terms mean:

(1) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;

(2) "Taxpayer", any individual subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, and who is eligible for the federal earned income credit.

2. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit for income earned by the taxpayer. The tax credit amount shall be equal to twenty percent of the amount of any federal earned income credit claimed by the taxpayer in the tax year for which the tax credit is claimed. The amount of the tax credit issued shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall be refundable, nor shall any tax credit granted under this section be transferred, sold, or assigned.

3. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

4. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill, Section 143.006, Page 9, Line 15, by inserting after all of said section, the following:

"143.126. 1. As used in this section, "taxpayer" means any resident individual who is sixty-five years of age or older and whose Missouri adjusted gross income is either:

(1) Forty thousand dollars or less if the taxpayer's filing status is single, head of household, or married filing separately; or

(2) Fifty thousand dollars or less if the taxpayer's filing status is married filing combined.

2. For all taxable years beginning on or after January 1, 2007, any taxpayer shall be allowed to subtract from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income an amount equal to the amount of any Social Security benefits or Social Security disability benefits received by the taxpayer and that are included in federal adjusted gross income under Section 86 of the Internal Revenue Code of 1986, as amended.

3. The director of the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the

authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

4. Under section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sutherland offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1
to
House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 30, Page 4, Line 17, by inserting the word, "**two**" after the word, "**thirty**"; and

Further amend said amendment, Page 5, Line 3, by deleting the words, "**eighteen thousand**" and inserting in lieu thereof the words, "**thirteen thousand three hundred**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Zweifel, **House Amendment No. 7, as amended**, was adopted by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Burnett	Casey
Cooper 158	Corcoran	Cox	Cunningham 145	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Page	Parson	Pearce	Pollock

Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 006

Bearden	Cooper 120	Cooper 155	Cunningham 86	Onder
Stevenson				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 008

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Funderburk	Haywood	Marsh		

Representative McGhee offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 30, Page 25, Section 163.016, Line 6, by inserting after all of said line the following:

"205.563. 1. The governing body of a city of the fourth classification with more than two hundred but fewer than three hundred inhabitants and located in any county of the second classification with more than forty-eight thousand two hundred but fewer than forty-eight thousand three hundred inhabitants may impose, by order or ordinance, an annual real property tax to fund the construction, operation, and maintenance of a community health center. The tax authorized in this section shall not exceed thirty-five cents per year on each one hundred dollars of assessed valuation on all taxable real property within the city. Any city may enter into an agreement or agreements with taxing jurisdictions located at least partially within the incorporated limits of such city to levy the tax authorized under this section upon real property located within the jurisdiction of such district, but outside the incorporated limits of such city, provided that any taxing jurisdiction desiring to levy such tax shall first receive voter approval of such measure in the manner and form contained in this section. The tax authorized in this section shall be in addition to all other property taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within such city at a state general, primary, or special election a proposal to authorize the city to impose a tax under this section.

3. The question shall be submitted in substantially the following form:

"Shall the city of and district (if applicable) be authorized to impose a tax on owners of real property in an amount equal to (insert amount not to exceed thirty-five cents) per one hundred dollars assessed valuation for the purpose of constructing, operating, and maintaining a community health center?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective in the tax year immediately following its approval. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. The tax authorized under this section shall be levied and collected in the same manner as other real property taxes are levied and collected within the city.

5. The governing body of any city that has imposed a real property tax under this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on the first day of the tax year immediately following its approval. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. Whenever the governing body of any city that has imposed a real property tax under this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the tax, the governing body shall submit to the voters of such city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on the first day of the tax year immediately following its approval. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. If the real property tax authorized under this section is repealed or terminated by any means, all funds collected under the tax shall continue to be used solely for the designated purposes."; and

Further amend said title, enacting clause and intersectional references accordingly.

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGhee, **House Amendment No. 8** was adopted.

Representative Scharnhorst offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 30, Section 144.518, Page 20, Line 58, by inserting after all of said section, the following:

"144.521. In addition to the exemptions granted under section 144.030, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.236, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, section 644.032, RSMo, and any local sales tax law as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, section 238.235, RSMo, section 238.236, RSMo, section 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, section 644.032, RSMo, and any local sales tax law as defined in section 32.085, RSMo, all purchases of equipment, machinery, materials, supplies, fixtures, and shoes by the owner or operator of a facility used for the sport of bowling where sales tax is collected and remitted on all amounts charged for participation in such sport, including amounts paid for the rental of items used to participate in such sport."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hughes offered **House Amendment No. 1 to House Amendment No. 9.**

House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Bill No. 30, Page 20, Section 144.518, Line 58, by inserting after the word "bowling", the following:

"and golf".

Representative Pratt assumed the Chair.

Representative Darrough offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 9.**

House Substitute Amendment No. 1
for
House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Bill No. 30, Page 20, Section 144.518, Line 58, by inserting after the word "bowling" the following:

"and golf", "video and game rental", and "rental tools", and "batting cages".

On motion of Representative Darrough, **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 9** was adopted.

HCS SB 30, as amended, with House Amendment No. 9, as amended, pending, was laid over.

THIRD READING OF HOUSE BILLS

HCS HB 159, relating to dam and reservoir safety, was taken up by Representative Bivins.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Iceet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nance	Nasheed

Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 068

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 006

Bowman	Brown 30	Bruns	Funderburk	Marsh
McGhee				

On motion of Representative Bivins, **HCS HB 159** was read the third time and passed by the following vote:

AYES: 091

Avery	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Emery	Faith
Fares	Flook	Franz	George	Grisamore
Guest	Harris 23	Haywood	Hobbs	Holsman
Hoskins	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lembke
Liese	Lipke	Loehner	Meiners	Munzlinger
Muschany	Nance	Nolte	Onder	Parson
Pearce	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Silvey	Smith 14	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walsh	Walton

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Wasson	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 066

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Day	Dougherty	Dusenberg
El-Amin	Ervin	Fallert	Fisher	Frame
Grill	Harris 110	Hodges	Hubbard	Hughes
Johnson	Kratky	Kuessner	Lampe	LeVota
Low 39	Lowe 44	May	McClanahan	Meadows
Moore	Nasheed	Nieves	Norr	Oxford
Page	Pollock	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schoemehl	Self
Shively	Skaggs	Smith 150	Spreng	Stevenson
Storch	Swinger	Talboy	Todd	Vogt
Wells	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Brown 30	Bruns	Funderburk	Marsh
McGhee				

Representative Pratt declared the bill passed.

HCS HB 827, relating to children in residential care, was taken up by Representative Muschany.

On motion of Representative Muschany, **HCS HB 827** was read the third time and passed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fisher	Flook	Franz	George
Grill	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7

Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Talboy	Thomson	Threlkeld	Tilley	Viebrock
Villa	Vogt	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 011

Bringer	Frame	Harris 110	Kuessner	Robinson
Rucker	Swinger	Todd	Wallace	Whorton
Witte				

PRESENT: 001

Fares

ABSENT WITH LEAVE: 007

Bland	Bowman	Brown 30	Bruns	Funderburk
Marsh	Page			

Representative Pratt declared the bill passed.

HCS HBs 952 & 674, relating to long-term care facilities, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HCS HBs 952 & 674** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb

Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 006

Cooper 155	Davis	Emery	Franz	Pollock
Wells				

PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman	Brown 30	Bruns	Funderburk	Marsh
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Representative Pratt declared the bill passed.

COMMITTEE REPORTS

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SB 593** and **SCS SB 594**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 163**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 888**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **SB 666**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 104**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 442**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1264**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 84**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 91**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 112**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 135**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 200**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 215, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 232**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 223**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 238**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 352**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 384**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 420**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 456**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 520**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 384 - Fiscal Review (Fiscal Note)

SCS SB 456 - Fiscal Review (Fiscal Note)

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, April 18, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 19, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 488, SS SCS SB 320

BUDGET

Wednesday, April 18, 2007, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 19

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 18, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SB 419

CONSERVATION AND NATURAL RESOURCES

Thursday, April 19, 2007, 9:00 a.m. Hearing Room 4.
Executive session only.

FISCAL REVIEW

Thursday, April 19, 2007, 9:00 a.m. House Chamber south gallery.
Any bills that are in this Committee.

INSURANCE POLICY

Wednesday, April 18, 2007, 12:00 p.m. Hearing Room 6.
Executive session.

JUDICIARY

Thursday, April 19, 2007, Hearing Room 7 upon morning adjournment.
Executive session only.

RULES

Wednesday, April 18, 2007, 1:00 p.m. Hearing Room 4.
Executive session may follow.
Public hearing to be held on: HCR 54

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, April 18, 2007, 1:00 p.m. Hearing Room 4.
Executive session may follow. AMENDED
Public hearings to be held on: HCS HCR 26, HB 888, HCS HB 923,
HCS HBs 112, 26, 37, 78, 79 & 154, HCS HB 425, HB 1251, HB 727,
HB 758, HB 495, HCS HB 429, HCS HB 716, SCS SB 66, HCS SS#2 SCS SB 161

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 18, 2007, 8:00 a.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 640, SB 19, SB 306

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 18, 2007, 12:00 p.m. Hearing Room 5.
Working session on Medicaid Reform.
This session will include long-term care, partnership, premium offset,
and various other topics. AMENDED

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 19, 2007, 8:00 a.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: SB 171, SB 164, SB 498, SB 509, SCS SB 525, SCS SB 526, SB 513

SPECIAL COMMITTEE ON RETIREMENT

Thursday, April 19, 2007, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1155, SCS SB 137

SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY

Wednesday, April 18, 2007, 5:00 p.m. Hearing Room 1.

Committee will meet upon afternoon adjournment or 5:00 p.m., whichever comes first.

Public hearing to be held on: SCS SB 418

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, April 18, 2007, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1104

SPECIAL COMMITTEE ON TAX REFORM

Thursday, April 19, 2007, House Chamber south gallery upon morning adjournment.

Executive session.

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 18, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 440

TRANSPORTATION

Thursday, April 19, 2007, Hearing Room 1 forty (40) minutes after morning adjournment.

Executive session.

WAYS AND MEANS

Thursday, April 19, 2007, 8:30 a.m. Hearing Room 3.

Executive session.

Public hearings to be held on: SCS SBs 199 & 207, SB 582

HOUSE CALENDAR

FIFTY-NINTH DAY, WEDNESDAY, APRIL 18, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 17 - Icet
- 2 HCS HB 18 - Icet

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HCS HB 466 - Schaaf
- 6 HCS HB 771 - Bearden
- 7 HCS HBs 180, 396 & 615 - Day
- 8 HCS HB 238 - Yates
- 9 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 10 HCS HB 788 - Cooper (155)
- 11 HCS HB 218 - Stevenson
- 12 HCS HB 811 - Schad
- 13 HB 412 - Emery
- 14 HB 215, HSA 1 for HA1, HA 1, pending - Stevenson
- 15 HB 432 - Schaaf
- 16 HCS HB 699 - Tilley
- 17 HCS HB 768 - St. Onge
- 18 HCS HB 122 - Nance
- 19 HCS HB 487 - Cooper (120)
- 20 HCS HB 493 - Baker (123)
- 21 HCS HB 512 - Pratt
- 22 HCS HB 261, as amended - Yates
- 23 HB 746 - Franz
- 24 HB 882 - Page
- 25 HCS HB 1002 - Fisher
- 26 HCS HB 124 - Nance
- 27 HB 134 - Guest
- 28 HCS HB 765, HA 1, pending - Dempsey
- 29 HCS HBs 807 & 690 - Baker (123)
- 30 HCS HB 121 - Nance
- 31 HB 249 - Moore
- 32 HCS HB 252 - Robb
- 33 HCS HB 417 - Cunningham (86)
- 34 HCS HB 478 - Dethrow
- 35 HCS HB 490 - Baker (123)
- 36 HCS HB 508 - Schaaf
- 37 HCS HB 709 - Dethrow
- 38 HB 821 - Onder
- 39 HCS HB 995 - Hobbs
- 40 HCS#2 HB 85 - Kraus

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- 41 HCS HB 399 - Walton
- 42 HCS HB 624 - Wilson (119)
- 43 HCS#2 HB 752 - Sutherland
- 44 HCS HB 1000 - Storch
- 45 HCS HB 1044 - Deeken
- 46 HCS HB 244 - Wells
- 47 HCS HB 461 - Cooper (155)
- 48 HCS HB 587 - Tilley
- 49 HCS HB 628 - Loehner
- 50 HCS HB 629 - Hunter
- 51 HB 647 - Young
- 52 HCS HB 872 - Cooper (158)
- 53 HCS HB 913 - Cooper (120)
- 54 HB 932 - Grill
- 55 HCS HB 1055 - Sander (3 hours debate on Perfection)
- 56 HCS HB 948 - Schaaf
- 57 HCS HB 1089 - Stevenson
- 58 HCS HB 347 - Munzlinger
- 59 HB 439 - Hunter
- 60 HCS HB 630 - Schlottach
- 61 HB 646 - Young
- 62 HCS HB 919 - Schneider
- 63 HCS HB 944 - Cooper (120)
- 64 HCS HB 1264 - Page

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HCS HB 891, (Fiscal Review 4-04-07) - Kratky
- 3 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
- 4 HCS HB 329 - Cunningham (145)
- 5 HCS HB 98, (Fiscal Review 4-12-07) - Parson
- 6 HB 916 - Dougherty
- 7 HCS HB 845 - Dixon

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken

(4/12/07)

HCS SB 322 - Cooper (158)

(4/16/07)

- 1 HCS SB 166 - Wood
- 2 SB 172 - Flook
- 3 HCS SB 270 - Jones (117)
- 4 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 5 SB 298 - Schaaf
- 6 SCS SB 397 - Schaaf
- 7 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 SCS SB 16 - Pearce
- 2 HCS SB 30, as amended, HA 9, as amended, pending, E.C. - Stevenson
- 3 HCS SCS SB 64, (Fiscal Review 4-12-07), E.C. - Wallace
- 4 HCS SB 81 - Schlottach
- 5 HCS SCS SB 198 - Pollock
- 6 SB 233 - Stevenson
- 7 HCS SCS SB 308, (Fiscal Review 4-12-07) - Wasson
- 8 HCS SB 376, E.C. - Wood
- 9 HCS#2 SB 406, (Fiscal Review 4-12-07) - Wallace
- 10 HCS SB 416 - Pratt
- 11 SCS SB 302 - Pratt
- 12 HCS SB 25 - Franz
- 13 SCS SB 46 - Grisamore
- 14 HCS SB 84 - Franz
- 15 SCS SB 91 - St. Onge
- 16 SB 135 - Kingery
- 17 SS SB 195 - Tilley
- 18 HCS SCS SB 232 - Cooper (158)
- 19 HCS SCS SB 384, (Fiscal Review 4-17-07), E.C. - Daus
- 20 SCS SB 456, (Fiscal Review 4-17-07) - Dempsey
- 21 HCS SCS SB 520 - Hunter
- 22 SS SCS SB 591 - Cunningham (145)

BILL IN CONFERENCE

SS SCS HCS HB 327, E.C. - Richard

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

FIFTY-NINTH DAY, WEDNESDAY, APRIL 18, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we understand that unless You build a house, the work of the builders is wasted. Unless You protect a city, guarding it with sentries will do no good. It is useless for us to work so hard from early morning until late at night, anxiously working for the betterment of this state, unless we have direction, a plan, a strategy from You.

Your governing, of the universe, is beyond human understanding - we cannot begin to fathom the intentions and operations of it. But it is our responsibility to search out matters and make them understandable to the people. We cannot claim divine secrecy; but we study and investigate everything before making a decision.

But, as ones who rule as Your representatives, we must, also, try to represent Your will in human affairs - so, we inquire of You to ascertain Your will. This is our glorious calling and responsibility.

May Your plans and purposes be established this day, through these yielded vessels.

The grace of our Lord Jesus Christ be with us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Casey Giles, Josh Decator, Phillip Miller, Megan Lachowitzer, Drew Keefer, Kelly Suman, Brendan Murphy, Kathryn Randolph, Michael Wells and Maggie Beckmann.

SPECIAL RECOGNITION

The McCluer North Stars Boys Basketball Team was introduced by Representative Darrough and recognized for attaining the 2007 Class 5 State Basketball Championship.

The Journal of the fifty-eighth day was approved as printed.

Representative Nance assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 461, relating to the State Water Patrol, was taken up by Representative Cooper (155).

Representative Bearden offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 461, Section 36.031, Page 3, Line 6, by deleting "**306.166**" and inserting in lieu thereof the following:

"**306.229**"; and

Further amend said substitute, Section 650.005, Page 10, Line 75, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to ensure that the waters of Missouri are safe for all Missourians, the provisions of Section A of this act are deemed necessary for the immediate preservation of public health, welfare, peace and safety, and are hereby declared to be an emergency within the meaning of the Constitution , and section A of this act shall be in full force and effect on July 1, 2007, or upon its passage and approval, whichever occurs later."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bearden, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 461, Page 5, Section 306.228, Line 11, by inserting after the word "origin" the following:

", Religion".

On motion of Representative Talboy, **House Amendment No. 2** was adopted.

On motion of Representative Cooper (155), **HCS HB 461, as amended**, was adopted.

On motion of Representative Cooper (155), **HCS HB 461, as amended**, was ordered perfected and printed.

HB 647, relating to deer hunting, was taken up by Representative Young.

Representative Ruzicka offered **House Amendment No. 1.**

Representative Villa raised a point of order that **House Amendment No. 1** was not distributed.

Representative Nance requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Quinn (7) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 647, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To amend chapter 252, RSMo, by adding thereto two new sections relating to conservation."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Chapter 252, RSMo, is amended by adding thereto two new sections, to be known as sections 252.005 and 252.044, to read as follows:

252.005. 1. There is hereby created the "Conservation Commission Advisory Board" to advise the conservation commission. The board shall be responsible for regional conservation evaluations which are under the control of the conservation commission.

2. Such board shall be staffed by the department of conservation and appointed by the governor with the advice and consent of the senate. The board shall have one member from each of the eight presently established conservation districts and not more than four of whom shall be from the same political party. Four members shall be actively engaged in farming, and a substantial percentage of such member's income shall be derived from such member's farming activities. None farming member shall have purchased a hunting or fishing license for at least five of the ten years immediately preceding such member's appointment to the board.

3. Each member appointed to the board shall serve staggered four-year terms in the following manner: Two members shall be appointed for a one-year term, two members shall be appointed for a two-year term, and two members shall be appointed for a three-year term, and two members appointed for a four-year term, with successor members being appointed to a four-year term. The procedures for such appointments and the designation of which terms will initially be one-year, two-year, three-year, and four-year terms shall be established solely by the conservation commission and the Missouri department of conservation. No member shall serve on the board for more than eight years.

4. The board shall conduct at least two annual meetings and report to the conservation commission, and annually to the general assembly and the governor. The members of the board shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties."; and

Further amend said title, enacting clause and intersectional references accordingly.

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Bill No. 647, Page 1, Section 252.005, Line 11, by deleting Line 11 and inserting on said line the word "evaluations."

On motion of Representative Dempsey, **House Amendment No. 1 to House Amendment No. 2** was adopted.

HB 647, with House Amendment No. 2, as amended, pending, was laid over.

HB 134, relating to equipment grants, was taken up by Representative Guest.

Representative Bringer offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 134, Page 2, Section 172.287, Line 18, by deleting said line and inserting in lieu thereof the following:

"3. **No equipment purchased with an appropriation under this section shall be used for embryonic stem cell research.**

4. In the event that the appropriations for this grant program are insufficient to fund all"; and

Further amend said bill, page, and section, Line 20, by deleting the figure "4" and inserting in lieu thereof the following:

"[4] 5"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris (110) offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 134, Page 1, Line 4, by inserting before the word "embryonic" the word "human".

On motion of Representative Harris (110), **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 113

Avery	Baker 123	Bearden	Bivins	Brandom
Bringer	Casey	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grisamore	Harris 110	Haywood
Hobbs	Hodges	Icet	Johnson	Jones 89
Jones 117	Kingery	Kraus	Lembke	LeVota
Liese	Lipke	Loehner	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Roorda	Rucker	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Mr Speaker		

NOES: 046

Aull	Baker 25	Bland	Bowman	Brown 50
Burnett	Chappelle-Nadal	Cooper 120	Curls	Daus
Deeken	Donnelly	Dougherty	El-Amin	Grill
Guest	Harris 23	Holsman	Hoskins	Hubbard
Hughes	Hunter	Kelly	Komo	Lampe
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Norr	Oxford	Page	Robb
Robinson	Ruestman	Skaggs	St. Onge	Storch
Talboy	Vogt	Walton	Whorton	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Bruns	Kratky	Kuessner
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On motion of Representative Bringer, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 111

Avery	Baker 123	Bearden	Bivins	Brandom
Bringer	Casey	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Harris 110	Haywood	Hobbs
Hodges	Icet	Jones 89	Jones 117	Kingery
Kraus	Lembke	LeVota	Liese	Lipke
Loehner	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Mr Speaker				

NOES: 047

Aull	Baker 25	Bland	Bowman	Brown 50
Burnett	Chappelle-Nadal	Cooper 120	Curls	Darrough
Daus	Deeken	Donnelly	Dougherty	Fares
Grill	Guest	Harris 23	Holsman	Hoskins
Hubbard	Hughes	Hunter	Johnson	Kelly
Komo	Lampe	Low 39	Lowe 44	Marsh
May	McClanahan	Norr	Oxford	Page

Robb	Robinson	Rucker	Skaggs	Storch
Talboy	Vogt	Walton	Whorton	Wildberger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Kratky	Kuessner	Richard
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On motion of Representative Guest, **HB 134, as amended**, was ordered perfected and printed.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Alexis Hartenstein.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2201 through House Resolution No. 2299

THIRD READING OF HOUSE BILL

HCS HB 845, relating to voter registration, was taken up by Representative Dixon.

Representative St. Onge assumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Ice	Jones 89	Jones 117	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider

Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 056

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hubbard	Hughes	Lampe	LeVota
Low 39	Lowe 44	McClanahan	Meiners	Norr
Oxford	Page	Quinn 9	Robinson	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 018

Brown 30	Brown 50	Bruns	Curls	Haywood
Hoskins	Hunter	Johnson	Kelly	Komo
Kratky	Kuessner	Liese	Meadows	Nasheed
Roorda	Rucker	Walton		

Speaker Jetton resumed the Chair.

On motion of Representative Dixon, **HCS HB 845** was read the third time and passed by the following vote:

AYES: 118

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad

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Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 039

Bland	Bowman	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Fares	George	Harris 110	Holsman	Hubbard
Hughes	Johnson	Low 39	Lowe 44	Meadows
Nasheed	Oxford	Quinn 9	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 30	Bruns	Hoskins	Kratky	Kuessner
Rucker				

Speaker Jetton declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 1055, relating to abortion, was taken up by Representative Sander.

Representative Low (39) requested a division of the question on **HCS HB 1055**.

Speaker Pro Tem Bearden assumed the Chair.

On motion of Representative Sander, **Part I of HCS HB 1055** was adopted by the following vote:

AYES: 096

Baker 123	Bearden	Bivins	Brandom	Bringer
Casey	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fallert	Fisher	Flook
Franz	Funderburk	Grisamore	Harris 110	Hobbs
Hodges	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Liese
Lipke	Loehner	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer

Schlottach	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Walsh	Wasson	Wells
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 062

Aull	Baker 25	Bland	Bowman	Brown 50
Burnett	Chappelle-Nadal	Cooper 120	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fares	Frame	George	Grill	Guest
Harris 23	Haywood	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Lampe	LeVota
Low 39	Lowe 44	Marsh	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Robb
Robinson	Roorda	Rucker	Schneider	Schoemehl
Skaggs	Spreng	Storch	Talboy	Villa
Vogt	Wallace	Walton	Weter	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Brown 30	Bruns	Kratky	Kuessner
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On motion of Representative Sander, **Part II of HCS HB 1055** was adopted.

On motion of Representative Sander, **Part III of HCS HB 1055** was adopted by the following vote:

AYES: 114

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fallert	Fisher	Flook	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd

Villa	Wallace	Walsh	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yaeger	Yates	Mr Speaker	

NOES: 041

Baker 25	Bland	Bowman	Brown 50	Burnett
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fares	Frame	Harris 23
Haywood	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Lampe	LeVota	Low 39
Lowe 44	McClanahan	Norr	Oxford	Page
Skaggs	Storch	Talboy	Vogt	Walton
Whorton	Witte	Wright-Jones	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Bruns	Dougherty	Kratky	Kuessner
Rucker	Salva	Viebrock		

On motion of Representative Sander, **HCS HB 1055** was ordered perfected and printed.

Representative Jones (89) assumed the Chair.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 17, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 17** was adopted.

On motion of Representative Icet, **HCS HB 17** was ordered perfected and printed.

HCS HB 18, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 18** was adopted.

On motion of Representative Icet, **HCS HB 18** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HB 215, with House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, relating to juvenile courts, was taken up by Representative Stevenson.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Stevenson offered **House Substitute Amendment No. 2 for House Amendment No. 1**.

*House Substitute Amendment No. 2
for
House Amendment No. 1*

AMEND House Bill No. 215, Page 1, Section 211.021, Line 1, by inserting immediately preceding all of said line the following:

"167.031. 1. Every parent, guardian or other person in this state having charge, control or custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent attendance in a combination of such schools and between the ages of seven years and the compulsory attendance age for the district is responsible for enrolling the child in a program of academic instruction which complies with subsection 2 of this section. Any parent, guardian or other person who enrolls a child between the ages of five and seven years in a public school program of academic instruction shall cause such child to attend the academic program on a regular basis, according to this section. Nonattendance by such child shall cause such parent, guardian or other responsible person to be in violation of the provisions of section 167.061, except as provided by this section. A parent, guardian or other person in this state having charge, control, or custody of a child between the ages of seven years of age and the compulsory attendance age for the district shall cause the child to attend regularly some public, private, parochial, parish, home school or a combination of such schools not less than the entire school term of the school which the child attends; except that:

(1) A child who, to the satisfaction of the superintendent of public schools of the district in which he resides, or if there is no superintendent then the chief school officer, is determined to be mentally or physically incapacitated may be excused from attendance at school for the full time required, or any part thereof;

(2) A child between fourteen years of age and the compulsory attendance age for the district may be excused from attendance at school for the full time required, or any part thereof, by the superintendent of public schools of the district, or if there is none then by a court of competent jurisdiction, when legal employment has been obtained by the child and found to be desirable, and after the parents or guardian of the child have been advised of the pending action; or

(3) A child between five and seven years of age shall be excused from attendance at school if a parent, guardian or other person having charge, control or custody of the child makes a written request that the child be dropped from the school's rolls.

2. (1) As used in sections 167.031 to 167.071, a "home school" is a school, whether incorporated or unincorporated, that:

(a) Has as its primary purpose the provision of private or religious-based instruction;

(b) Enrolls pupils between the ages of seven years and the compulsory attendance age for the district, of which no more than four are unrelated by affinity or consanguinity in the third degree; and

(c) Does not charge or receive consideration in the form of tuition, fees, or other remuneration in a genuine and fair exchange for provision of instruction.

(2) As evidence that a child is receiving regular instruction, the parent shall, except as otherwise provided in this subsection:

(a) Maintain the following records:

a. A plan book, diary, or other written record indicating subjects taught and activities engaged in; and

b. A portfolio of samples of the child's academic work; and

c. A record of evaluations of the child's academic progress; or

d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and

(b) Offer at least one thousand hours of instruction, at least six hundred hours of which will be in reading, language arts, mathematics, social studies and science or academic courses that are related to the aforementioned subject areas and consonant with the pupil's age and ability. At least four hundred of the six hundred hours shall occur at the regular home school location.

(3) The requirements of subdivision (2) of this subsection shall not apply to any pupil above the age of sixteen years.

3. Nothing in this section shall require a private, parochial, parish or home school to include in its curriculum any concept, topic, or practice in conflict with the school's religious doctrines or to exclude from its curriculum any concept, topic, or practice consistent with the school's religious doctrines. Any other provision of the law to the contrary notwithstanding, all departments or agencies of the state of Missouri shall be prohibited from dictating through rule, regulation or other device any statewide curriculum for private, parochial, parish or home schools.

4. A school year begins on the first day of July and ends on the thirtieth day of June following.

5. The production by a parent of a daily log showing that a home school has a course of instruction which satisfies the requirements of this section or, in the case of a pupil over the age of sixteen years who attended a metropolitan school district the previous year, a written statement that the pupil is attending home school in compliance with this section shall be a defense to any prosecution under this section and to any charge or action for educational neglect brought pursuant to chapter 210, RSMo.

6. As used in sections 167.031 to 167.051, the term "compulsory attendance age for the district" shall mean:

(1) Seventeen years of age for any metropolitan school district for which the school board adopts a resolution to establish such compulsory attendance age; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted; and

(2) Sixteen years of age in all other cases.

The school board of a metropolitan school district for which the compulsory attendance age is seventeen years may adopt a resolution to lower the compulsory attendance age to sixteen years; provided that such resolution shall take effect no earlier than the school year next following the school year during which the resolution is adopted.

[7. The provisions of this section shall apply to any parent, guardian, or other person in this state having charge, control, or custody of a child between the ages of fifteen and eighteen if such child has not received a high school diploma or its equivalent and a court order has been issued as to such child under section 211.034, RSMo.]"; and

Further amend House Bill No. 215, Page 1, Section 211.021, Line 2, by removing the open bracket "[" and closed bracket "]" around the word "seventeen"; and

Further amend said section, said line, by deleting the word "**eighteen**"; and

Further amend said section, said line, by inserting after the word "older" the following:

"except for seventeen and eighteen year old children as defined in this section"; and

Further amend said section, Line 3, by removing the open bracket "[" and closed bracket "]" around the word "seventeen"; and

Further amend said section, said line, by deleting the word "**eighteen**"; and

Further amend said section, said line, by inserting after the word "age" the following:

"except for status offenses which shall mean a person seventeen or eighteen years of age. For purposes of this chapter, any reference to "under the age of seventeen" includes any person seventeen or eighteen alleged to have committed a status offense"; and

Further amend said section, Line 21, by inserting after the word "children" the following:

";

(7) "Status offense", any offense not a violation of criminal code or municipal ordinance"; and

Further amend said bill, Pages 2-4, Section 211.031, Lines 1-92, by removing all of said lines from the bill; and

Further amend said bill, Pages 4-6, Section 211.032, Lines 1-41, by removing all of said lines from the bill; and

Further amend said bill, Page 6, Section 211.033, Lines 1-5, by removing all of said lines and inserting in lieu thereof the following:

"211.033. **1.** No person under the age of seventeen years, except those transferred to the court of general jurisdiction under the provisions of section 211.071 shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of seventeen to a juvenile detention facility.

2. Nothing in this section shall be construed as creating any civil or criminal liability for any law enforcement officer, juvenile officer, school personnel, or court personnel for any action taken or failure to take

any action involving a minor child who remains under the jurisdiction of the juvenile court under this section if such action or failure to take action is based on a good faith belief by such officer or personnel that the minor child is not under the jurisdiction of the juvenile court."; and

Further amend House Bill No. 215, Page 6, Section 211.041, Line 1, by inserting immediately preceding all of said line, the following:

"[211.034. 1. Any parent, legal guardian, or other person having legal custody of a minor child may, at any time after the minor child attains fifteen years of age and before the minor child attains eighteen years of age, petition the circuit court for the county where the minor child and parent, legal guardian, or other person having legal custody of the minor child reside to extend the jurisdiction of the juvenile court until the minor child reaches the age of eighteen years.

2. The petition shall be accompanied by verified proof of service on the minor child and certified copies of documents demonstrating that the petitioner is the parent, legal guardian, or other legal custodian of the minor child. If the petitioner is not the natural parent of the minor child, the petition shall be accompanied by:

(1) An affidavit from at least one of the child's natural parents consenting to the granting of the petition; or

(2) An affidavit from the petitioner stating that the natural parents:

(a) Are deceased;

(b) Have been declared legally incompetent;

(c) Have had their parental rights as to the minor child terminated by a court of competent jurisdiction;

(d) Have voluntarily surrendered their parental rights as to the minor child;

(e) Have abandoned the minor child;

(f) Are unknown; or

(g) Are otherwise unavailable, in which case, the affidavit shall state the reasons why the natural parents are unavailable.

In all cases where any parent, legal guardian, or other person having legal custody of a minor child petitions the court to extend the jurisdiction of the juvenile court until the minor child's eighteenth birthday, the court shall appoint an attorney to represent the minor child. An individual filing the petition shall pay the attorney fees of the minor child.

3. Upon the filing of a petition under this section and a determination by the court in favor of the petitioner, the circuit court shall issue an order declaring that the minor child shall remain under the jurisdiction of the juvenile court for all purposes under state law until the minor child reaches eighteen years of age; except that, for purposes of criminal law and procedure, including arrest, prosecution, trial, and punishment, if the minor is certified as an adult, the minor shall remain a certified adult despite the issuance of a court order under this section. Such minor child shall be subject to the compulsory school attendance requirements of section 167.031, RSMo, until the minor child receives a high school diploma or its equivalent, or reaches eighteen years of age. The court order shall be filed with the circuit clerk for the county where the petitioner resides.

4. Nothing in this section shall be construed as creating any civil or criminal liability for any law enforcement officer, juvenile officer, school personnel, or court personnel for any action taken or failure to take any action involving a minor child who remains under the jurisdiction of the juvenile court under this section if such action or failure to take action is based on a good faith belief by such officer or personnel that the minor child is not under the jurisdiction of the juvenile court.];" and

Further amend said bill, Page 6, Section 211.041, Line 12, by deleting the open bracket "[" and closed bracket "]" around the word "seventeen" and by deleting the word **"eighteen"**; and

Further amend said bill, Page 6, Section 211.061, Line 7, by deleting the open bracket "[" and closed bracket "]" around the word "seventeen" and by deleting the word **"eighteen"**; and

Further amend said bill, Page 7, Section 211.071, Line 1, by deleting the open bracket "[" and closed bracket "]" around the word "seventeen"; and

Further amend said page, said section, Line 2, by deleting the word "**eighteen**"; and

Further amend said page, said section, Line 15, by deleting the open bracket "[" and closed bracket "]" around the word "seventeen"; and

Further amend said page, said section, Line 15, by deleting the word "**eighteen**"; and

Further amend said bill, Pages 9-10, Section 211.073, Lines 1-41, by removing all of said lines from the bill; and

Further amend said bill, Page 17, Section 211.421, Lines 1-11, by removing all of said lines from the bill; and

Further amend said bill, Pages 17-19, Section 211.425, Lines 1-47, by removing all of said lines from the bill; and

Further amend said bill, Page 19, Section 211.431, Lines 1-3, by removing all of said lines from the bill; and

Further amend said bill, by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Substitute Amendment No. 2 for House Amendment No. 1** was adopted.

Representative Cooper (120) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 215, Page 19, Section 211.431, Line 3, by inserting after all of said line the following:

"Section 1. The implementation of this act is subject to appropriation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 2** was adopted.

Representative Hughes offered **House Amendment No. 3**.

Representative Nasheed suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 116

Aull	Baker 25	Bearden	Bivins	Bland
Bowman	Brandom	Bringer	Brown 50	Burnett
Casey	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Curls	Day	Deeken	Denison	Dethrow
Donnelly	Dusenberg	El-Amin	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Hughes	Jones 89	Jones 117	Komo
Lampe	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed

Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman
Ruzicka	Salva	Sander	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schneider	Schoeller
Self	Shively	Skaggs	Smith 150	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Avery	Chappelle-Nadal	Daus	George	Johnson
Robinson	Schlottach	Talboy	Vogt	

PRESENT: 020

Cox	Darrough	Davis	Dixon	Dougherty
Flook	Kraus	Low 39	Lowe 44	Meiners
Nieves	Portwood	Roorda	Schoemehl	Silvey
Smith 14	Spreng	Stevenson	Yates	Young

ABSENT WITH LEAVE: 018

Baker 123	Brown 30	Bruns	Cooper 120	Corcoran
Dempsey	Emery	Hoskins	Hunter	Icet
Kelly	Kingery	Kratky	Kuessner	Lembke
Sater	Viebrock	Whorton		

House Amendment No. 3 was withdrawn.

Representative Hughes offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Bill No. 215, Page 4, Section 211.031, Line 85, by inserting an open bracket "[" immediately preceding the word "seventy-two" and inserting a closed bracket "]" immediately following the word "seventy-two"; and

Further amend said bill, Page 4, Section 211.031, Line 85, by inserting the "**twenty-four**" immediately preceding the word "hours"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hughes moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Stevenson, **HB 215, as amended**, was ordered perfected and printed by the following vote:

AYES: 083

Aull	Baker 123	Bearden	Bivins	Bringer
Brown 50	Cooper 120	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Ervin	Faith
Fares	Fisher	Funderburk	Guest	Harris 110
Hobbs	Ice	Jones 89	Kelly	Kingery
Lampe	Liese	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 130	Wood
Wright 159	Young	Mr Speaker		

NOES: 070

Baker 25	Bland	Bowman	Brandom	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cooper 158	Corcoran
Curls	Darrrough	Daus	Donnelly	Dusenberg
El-Amin	Fallert	Flook	Frame	Franz
George	Grill	Grisamore	Harris 23	Haywood
Hodges	Holsman	Hubbard	Hughes	Johnson
Jones 117	Komo	Kraus	LeVota	Lipke
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Oxford	Page	Parson	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schneider
Schoemehl	Skaggs	Spreng	Storch	Swinger
Talboy	Thomson	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wilson 119	Witte
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Brown 30	Bruns	Emery	Hoskins
Hunter	Kratky	Kuessner	Lembke	Marsh

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 461 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Budget, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 19**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SB 502**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Vice-Chairman Cox reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HCS HBs 406 & 726**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SCS SB 197**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 325**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 237**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 271**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **SCS SB 54**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 733**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SB 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SBs 62 & 41**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 82**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SB 306**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 26

WHEREAS, in 1720, Philippe Francois Renault introduced Negro slavery to Missouri when he brought 500 Negroes with him from Santa Domingo to work the lead mines in the Des Peres River section of what is now St. Louis and Jefferson Counties; and

WHEREAS, the Missouri Compromise of 1820 resulted in Missouri being admitted as a slave state in exchange for approving the application for statehood of Maine as a free state in order to resolve a dispute involving the ban on slavery in territories north of the Ohio River enacted in 1787. Under the Missouri Compromise, slavery would be allowed in Missouri, but slavery would no longer be allowed for any future requests for statehood north of the what would become known as the Mason-Dixon Line; and

WHEREAS, in 1860, 36 counties in Missouri had 1,000 or more slaves. A series of laws, known as slave codes, were drawn up to address the slave population in Missouri. Under the territorial slave code of 1804, slaves were made personal property, and each revision of the law was drafted with this precedent in mind. The State Constitution of 1820, for example, provided that slaves were not to be emancipated "without the consent of their masters, or without paying them, before such emancipation"; and

WHEREAS, a slave was not permitted to keep a gun in Missouri. If he was caught carrying a gun, he was to receive 39 lashes and forfeit the gun. Slaves who participated in riots, attended unlawful assemblies, or who were guilty of making seditious speeches, were subject to whipping. Slaves guilty of conspiracy, rebellion, insurrection, and murder were put to death; and

WHEREAS, other laws further emphasized the disparate treatment of Blacks. Negroes or mulattoes "who should commit or attempt to commit assault upon White women would be mutilated." However, since a slave woman was chattel, a White man who raped her was only guilty of trespass on the master's property; and

WHEREAS, in 1825, a law was passed declaring Blacks to be incompetent as witnesses in legal cases involving Whites; and

WHEREAS, in 1847, one of the harshest laws regarding slaves was enacted. In that year, an ordinance specifically prohibited the education of Negroes was passed. Anyone operating a school or teaching reading and writing to any Negro or mulatto in Missouri could be punished by a fine of not less than \$500 and up to six months in jail. This law was a direct result of an ever increasing conviction on the part of slave holders that literacy led to rebellion; and

WHEREAS, even in death the races were generally separated. Usually there were "white" and "colored" cemeteries in every area of the State; and

WHEREAS, throughout the slavery period in Missouri there were persons, Black and White, who advocated the abolition of slavery both locally and nationally. These abolitionists were an unpopular group in a slaveholding state because they challenged the continued existence of an institution which provided for cheap labor. Because of their deep mistrust toward persons who challenged their way of life, pro-slavery forces generally dealt severely with abolitionists; and

WHEREAS, discrimination followed the Negroes into the Union Army during the Civil War. Negroes, like Whites, were promised a bounty but not until the war was over did they receive it. While White soldiers received \$13 a month, Negro soldiers were given \$10 a month. Blacks were given inferior weapons and materials, inadequate medical care, and if captured, were killed until Lincoln and Grant threatened to treat captured Confederate soldiers in a similar manner; and

WHEREAS, in 1943, the Missouri Legislature rejected a civil rights bill that would have given Blacks equal access to public places, such as restaurants and theaters; and

WHEREAS, in July 2003, President George W. Bush, at his visit to Goree Island (Senegal), acknowledged slavery in America as the largest migration in history, and also one of the greatest crimes of history; and

WHEREAS, in his State of the Judiciary address delivered to the First Regular Session of the 94th General Assembly, Missouri Supreme Court Chief Justice Michael Wolff acknowledged the *Dred Scott* decision as one of the greatest blemishes on judicial history; and

WHEREAS, in the *Dred Scott* case, Dred Scott, a slave who had lived in the free state of Illinois and the free territory of Wisconsin before moving back to the slave state of Missouri, had appealed to the United States Supreme Court in hopes of being granted his freedom. In March of 1857, the United States Supreme Court declared that all Blacks - slave as well as free - were not and could never become citizens of the United States. Since Scott was not a citizen, he had no right to sue; and

WHEREAS, European and African nations have apologized for their roles in what history calls the worst holocaust of humankind, the Atlantic Slave Trade; and

WHEREAS, racial reconciliation is difficult to achieve without some acknowledgment of the moral and legal injustices perpetrated upon African Americans; and

WHEREAS, an apology for over 145 years of brutal injustices that occurred in Missouri cannot erase the past, but acknowledgment of the wrongs can speed racial healing and reconciliation and help African Americans and White citizens confront their collective pasts together; and

WHEREAS, the story of the enslavement of Africans and their descendants, the human carnage, and the dehumanizing atrocities committed during slavery should not be removed from Missouri's history or discounted; moreover, the efforts of abolitionists in the State to end slavery, and the faith, perseverance, hope, and endless triumphs

of African Americans and their significant contributions to the development of this State and the nation should be embraced, celebrated, and retold for generations to come; and

WHEREAS, the long-term effects of slavery for many African Americans could be assuaged and the principles espoused by the Founding Fathers would be affirmed, and great strides toward unifying all Missourians and inspiring the nation to acquiesce might be accomplished if the State of Missouri acknowledged its role in the slavery of Africans:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby formally apologize for the State of Missouri's role in slavery.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 54**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 54

WHEREAS, the bicycle is a viable and environmentally sound form of transportation and an excellent form of recreation; and

WHEREAS, millions of Missourians will experience the joys of bicycling during the month of May through educational programs, races, commuting events, trail work days, helmet promotion, charity events, or just getting out and going for a ride; and

WHEREAS, Missouri's Katy Trail attracts hundreds of thousands of bicyclists each year from all 50 states and from across the globe, providing economic, health, and scenic benefits to citizens of Missouri and the world; and

WHEREAS, Missouri hosts four major cross-country bicycle tourism routes that attract thousands of cross-country and local bicyclists each year, including the Mississippi River/Great Rivers Trail, the American Discovery Trail, the Lewis and Clark Trail, and the TransAmerica Trail; and

WHEREAS, the Tour of Missouri bicycle race is poised to bring hundreds of world-class athletes and thousands of bicycle tourists to Missouri September 11-16, 2007, and put Missouri's bicycling attractions and scenic countryside before a world stage; and

WHEREAS, these bicycling activities and attractions have great potential to have a positive impact on Missouri's economy and tourism industry and to stimulate economic development by making the state attractive to businesses and citizens who enjoy the out of doors and healthy lifestyles; and

WHEREAS, creating bicycle-friendly communities has been shown to improve citizens' health, well-being, and quality of life, to boost community spirit, to improve traffic safety, and to reduce pollution and congestion; and

WHEREAS, May has been declared National Bike Month for each of the last 45 years, and is so again in 2007; and

WHEREAS, the League of American Bicyclists, the Missouri Bicycle Racing Association, the Missouri Bicycle Federation, bicycle clubs, schools, parks and recreation departments, police departments, hospitals, companies and civic groups throughout Missouri will be promoting bicycling as a leisure activity as well as an environmentally-friendly alternative to the automobile during the month of May 2007; and

WHEREAS, the education of bicyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users; and

WHEREAS, the Missouri Bicycle Federation, the Share the Road Safety Task Force of Kansas City, and other organizations across the state will promote bicycle safety during the month of May 2007:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize the month of May 2007 as National Bike Month and Bicycle Safety Month, and the week of May 14-18, 2007, as Bike to Work Week; and

BE IT FURTHER RESOLVED that the General Assembly urges all who support bicycling to participate in the events planned and urges all road users to share the road safely with bicyclists.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 112, 26, 37, 78 79 & 154**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 425**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 429**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 495**, begs leave to report it has examined the same and recommends that it **Do Not Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 716**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 727**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 888**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 923**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1251**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 66**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 5**, entitled:

An act to repeal sections 195.503, 566.147, 573.025, 573.035, 573.037, and 650.120, RSMo, and to enact in lieu thereof nine new sections relating to sexual offenses against children, with penalty provisions and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 31**, entitled:

An act to repeal sections 327.011, 327.111, 327.181, 327.201, 327.291, 327.441, 327.633, and 621.045, RSMo, and to enact in lieu thereof six new sections relating to architects, professional engineers, land surveyors, and landscape architects, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 86**, entitled:

An act to repeal section 135.327, RSMo, and to enact in lieu thereof one new section relating to the children in crisis tax credit program, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 611**, entitled:

An act to repeal sections 600.011 and 600.042, RSMo, and to enact in lieu thereof four new sections relating to the public defender system.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Kratky.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 19, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 19, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 488, SS SCS SB 320

CONSERVATION AND NATURAL RESOURCES

Thursday, April 19, 2007, 9:00 a.m. Hearing Room 4.

Executive session only.

FISCAL REVIEW

Thursday, April 19, 2007, 9:00 a.m. House Chamber south gallery.

Any bills that are in this Committee.

JUDICIARY

Thursday, April 19, 2007, Hearing Room 7 upon morning adjournment.

Executive session only.

LOCAL GOVERNMENT

Thursday, April 19, 2007, Hearing Room 6 upon morning adjournment.

Informational meeting ONLY. No public testimony.

Public hearing to be held on: SS SCS SB 22

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 19, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 171, SB 164, SB 498, SB 509, SCS SB 525, SCS SB 526, SB 513

SPECIAL COMMITTEE ON RETIREMENT

Thursday, April 19, 2007, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1155, SCS SB 137

SPECIAL COMMITTEE ON TAX REFORM

Thursday, April 19, 2007, House Chamber south gallery upon morning adjournment.

Executive session.

TRANSPORTATION

Thursday, April 19, 2007, Hearing Room 1 forty (40) minutes after morning adjournment.

Executive session.

WAYS AND MEANS

Thursday, April 19, 2007, 8:30 a.m. Hearing Room 3.

Executive session.

Public hearings to be held on: SCS SBs 199 & 207, SB 582

HOUSE CALENDAR

SIXTIETH DAY, THURSDAY, APRIL 19, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HCS HB 466 - Schaaf
- 6 HCS HB 771 - Bearden
- 7 HCS HBs 180, 396 & 615 - Day
- 8 HCS HB 238 - Yates
- 9 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 10 HCS HB 788 - Cooper (155)
- 11 HCS HB 218 - Stevenson
- 12 HCS HB 811 - Schad
- 13 HB 412 - Emery
- 14 HB 432 - Schaaf
- 15 HCS HB 699 - Tilley
- 16 HCS HB 768 - St. Onge
- 17 HCS HB 122 - Nance
- 18 HCS HB 487 - Cooper (120)
- 19 HCS HB 493 - Baker (123)
- 20 HCS HB 512 - Pratt
- 21 HCS HB 261, as amended - Yates
- 22 HB 746 - Franz
- 23 HB 882 - Page
- 24 HCS HB 1002 - Fisher
- 25 HCS HB 124 - Nance
- 26 HCS HB 765, HA 1, pending - Dempsey
- 27 HCS HBs 807 & 690 - Baker (123)
- 28 HCS HB 121 - Nance
- 29 HB 249 - Moore
- 30 HCS HB 252 - Robb
- 31 HCS HB 417 - Cunningham (86)
- 32 HCS HB 478 - Dethrow
- 33 HCS HB 490 - Baker (123)
- 34 HCS HB 508 - Schaaf

35 HCS HB 709 - Dethrow
36 HB 821 - Onder
37 HCS HB 995 - Hobbs
38 HCS#2 HB 85 - Kraus
39 HCS HB 399 - Walton
40 HCS HB 624 - Wilson (119)
41 HCS#2 HB 752 - Sutherland
42 HCS HB 1000 - Storch
43 HCS HB 1044 - Deeken
44 HCS HB 244 - Wells
45 HCS HB 587 - Tilley
46 HCS HB 628 - Loehner
47 HCS HB 629 - Hunter
48 HB 647, HA 2, as amended, pending - Young
49 HCS HB 872 - Cooper (158)
50 HCS HB 913 - Cooper (120)
51 HB 932 - Grill
52 HCS HB 948 - Schaaf
53 HCS HB 1089 - Stevenson
54 HCS HB 347 - Munzlinger
55 HB 439 - Hunter
56 HCS HB 630 - Schlottach
57 HB 646 - Young
58 HCS HB 919 - Schneider
59 HCS HB 944 - Cooper (120)
60 HCS HB 1264 - Page
61 HB 758 - Brown (50)

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

1 HCS HB 17 - Icet
2 HCS HB 18 - Icet

HOUSE BILLS FOR THIRD READING

1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
2 HCS HB 891, (Fiscal Review 4-04-07) - Kratky
3 HCS HB 892, (Fiscal Review 4-04-07) - Kratky
4 HCS HB 329 - Cunningham (145)
5 HCS HB 98, (Fiscal Review 4-12-07) - Parson
6 HB 916 - Dougherty
7 HCS HB 461, E.C. (Fiscal Review 4-18-07) - Cooper (155)
8 HB 134 - Guest
9 HCS HB 1055 - Sander
10 HB 215 - Stevenson

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 5
- 2 SS SB 31
- 3 SCS SB 86
- 4 SCS SB 611

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken

(4/12/07)

HCS SB 322 - Cooper (158)

(4/16/07)

- 1 HCS SB 166 - Wood
- 2 SB 172 - Flook
- 3 HCS SB 270 - Jones (117)
- 4 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 5 SB 298 - Schaaf
- 6 SCS SB 397 - Schaaf
- 7 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 SCS SB 16 - Pearce
- 2 HCS SB 30, as amended, HA 9, as amended, pending, E.C. - Stevenson
- 3 HCS SCS SB 64, (Fiscal Review 4-12-07), E.C. - Wallace
- 4 HCS SB 81 - Schlottach
- 5 HCS SCS SB 198 - Pollock
- 6 SB 233 - Stevenson
- 7 HCS SCS SB 308, (Fiscal Review 4-12-07) - Wasson
- 8 HCS SB 376, E.C. - Wood

- 9 HCS#2 SB 406, (Fiscal Review 4-12-07) - Wallace
- 10 HCS SB 416 - Pratt
- 11 SCS SB 302 - Pratt
- 12 HCS SB 25 - Franz
- 13 SCS SB 46 - Grisamore
- 14 HCS SB 84 - Franz
- 15 SCS SB 91 - St. Onge
- 16 SB 135 - Kingery
- 17 SS SB 195 - Tilley
- 18 HCS SCS SB 232 - Cooper (158)
- 19 HCS SCS SB 384, (Fiscal Review 4-17-07), E.C. - Daus
- 20 SCS SB 456, (Fiscal Review 4-17-07) - Dempsey
- 21 HCS SCS SB 520 - Hunter
- 22 SS SCS SB 591 - Cunningham (145)

BILL IN CONFERENCE

SS SCS HCS HB 327, E.C. - Richard

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTIETH DAY, THURSDAY, APRIL 19, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Gregory Higley.

Heavenly Father, designer of the universe, source of all blessings, and author of all divine and natural law. May Your wisdom inspire and guide our human lawmakers this day and in the weeks to come. As Your divine and natural law is designed to ensure human justice, protect human and civil rights, and respect all natural life, so may this same wisdom be the light which directs discussion and deliberation in this Chamber throughout the course of this day. May Your wisdom provide the required insight to our elected representatives needed to protect the welfare of the citizens of this State. We humbly place this prayer before You with all our gratitude. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amanda Polt, Kelly Winkler, Michael Gould, Blake Rosner, Bethany Jefferies, Austin Lee, Samantha Shelby, Corwinthony Williams, Dinara Datbayeva, Joris Beckmann, Vusal Babayev and Aygul Valiyeva.

The Journal of the fifty-ninth day was approved as printed.

SPECIAL RECOGNITION

The Fatima Lady Comets Basketball Team was introduced by Representative Loehner and recognized for winning the 2006-2007 Class 3 District and Sectional competitions.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2300 through House Resolution No. 2367

SECOND READING OF SENATE BILLS

SS SCS SB 5, SS SB 31, SCS SB 86 and SCS SB 611 were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 134 - Fiscal Review (Fiscal Note)

HB 215 - Fiscal Review (Fiscal Note)

HCS HB 1055 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 98** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 134** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 461** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 891** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 892** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 64** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 308** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 384** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 456** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

SS SB 195, relating to the practice of pharmacy, was taken up by Representative Tilley.

On motion of Representative Tilley, **SS SB 195** was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Iceet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Lipke

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Brown 30	Bruns	Harris 23	Hunter
Kratky	Pratt	Sprenge		

Speaker Jetton declared the bill passed.

Representative St. Onge assumed the Chair.

SCS SB 16, relating to children's vision examinations, was taken up by Representative Pearce.

On motion of Representative Pearce, **SCS SB 16** was truly agreed to and finally passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Faith	Fallert	Fares	Fisher
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	LeVota	Liese	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Talboy	Thomson	Threlkeld
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 011

Cooper 155	Cooper 158	Davis	Emery	Ervin
Flook	Lembke	Lipke	Muschany	Stevenson
Todd				

PRESENT: 002

Swinger	Tilley
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ABSENT WITH LEAVE: 007

Brown 30	Bruns	Chappelle-Nadal	Harris 23	Kratky
Pratt	Spreng			

Representative St. Onge declared the bill passed.

HCS SB 376, relating to the financial impact on tourism, was taken up by Representative Wood.

Representative Wood offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 376, Section 171.035, Page 1, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"171.035. No school"; and

Further amend said section and page, Line 5, by inserting after the word "**from**" the words "**January 15, 2007 to**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 376, Section 171.035, Page 1, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

"171.035. No school"; and

Further amend said section and page, Line 5, by inserting after the word "**from**" the following:

"January 12, 2007 to"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Wood, **HCS SB 376, as amended**, was adopted.

On motion of Representative Wood, **HCS SB 376, as amended**, was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Kraus

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Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 010

Davis	Ervin	Flook	George	Hughes
Komo	Onder	Roorda	Skaggs	Talboy

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Harris 23	Kratky	McGhee
Pratt	Spreng			

Representative St. Onge declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Low 39	Lowe 44	Marsh
May	McClanahan	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller

Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 018

Bowman	Burnett	Chappelle-Nadal	Davis	Ervin
Flook	George	Holsman	Hughes	Komo
Onder	Roorda	Salva	Skaggs	Talboy
Vogt	Whorton	Wildberger		

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker 123	Brown 30	Bruns	Kratky	Loehner
McGhee	Pratt	Richard	Spreng	

HCS SB 30, as amended, with House Amendment No. 9, as amended, pending, relating to taxation, was taken up by Representative Stevenson.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	Moore	Munzlinger	Muschany	Nance
Nasheed	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 066

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin

Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 155	Kratky	McGhee
Nieves	Pratt	Schneider	Spreng	

On motion of Representative Scharnhorst, **House Amendment No. 9, as amended**, was adopted.

Representative Kraus offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 30, Page 7, Section 71.012, by inserting after all of said section the following:

- "135.631. 1. As used in this section, the following terms mean:**
- (1) "Military retirement benefits", any military retirement benefits included in federal adjusted gross income and not otherwise excluded therefrom;**
 - (2) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;**
 - (3) "Taxpayer", any individual subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.**
- 2. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit for military retirement benefits received by the taxpayer. The tax credit amount shall be equal to the amount of state income tax otherwise due for military retirement benefits received in the taxable year for which the credit is claimed. The amount of the tax credit issued shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall be refundable, nor shall any tax credit granted under this section be transferred, sold, or assigned.**
- 3. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kraus, **House Amendment No. 10** was adopted.

Representative Dusenberg offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 30, Section 71.012, Page 7, Line 69, by inserting after all of said section, the following:

"135.090. 1. As used in this section, the following terms mean:

(1) "Homestead", the dwelling in Missouri owned by the surviving spouse and not exceeding five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. As used in this section, "homestead" shall not include any dwelling which is occupied by more than two families;

(2) "Public safety officer", any firefighter, police officer, capitol police officer, parole officer, probation officer, correctional employee, water patrol officer, park ranger, conservation officer, commercial motor enforcement officer, emergency medical technician, first responder, or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed in the line of duty, unless the death was the result of the officer's own misconduct or abuse of alcohol or drugs;

(3) "Surviving spouse", a spouse, who has not remarried, of a public safety officer.

2. For all tax years beginning on or after January 1, 2008, a surviving spouse shall be allowed a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, in an amount equal to the total amount of the property taxes on the surviving spouse's homestead paid during the tax year for which the credit is claimed. If the amount allowable as a credit exceeds the income tax reduced by other credits, then the excess shall be considered an overpayment of the income tax.

3. The department of revenue shall promulgate rules to implement the provisions of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

5. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dusenberg, **House Amendment No. 11** was adopted.

Representative Moore offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 30, Page 27, Section 208.755, Line 38, by inserting after said line the following:

"320.093. 1. Any person, firm or corporation who purchases a dry fire hydrant, as defined in section 320.273, or provides an acceptable means of water storage for such dry fire hydrant including a pond, tank or other storage facility with the primary purpose of fire protection within the state of Missouri, shall be eligible for a credit on income taxes

otherwise due pursuant to chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as an incentive to implement safe and efficient fire protection controls. The tax credit, not to exceed five thousand dollars, shall be equal to fifty percent of the cost in actual expenditure for any new water storage construction, equipment, development and installation of the dry hydrant, including pipes, valves, hydrants and labor for each such installation of a dry hydrant or new water storage facility. The amount of the tax credit claimed for in-kind contributions shall not exceed twenty-five percent of the total amount of the contribution for which the tax credit is claimed.

2. Any amount of credit which exceeds the tax due shall not be refunded but may be carried over to any subsequent taxable year, not to exceed seven years. The person, firm or corporation may elect to assign to a third party the approved tax credit. The certificate of assignment and other appropriate forms [must] **shall** be filed with the Missouri department of revenue and the department of economic development.

3. The person, firm or corporation shall make application for the credit to the department of economic development after receiving approval of the state fire marshal. The fire marshal shall establish by rule promulgated pursuant to chapter 536, RSMo, the requirements to be met based on the National Resources Conservation Service's [Missouri] Dry Hydrant Standard. The state fire marshal or designated local representative shall **review and** authorize [and issue a permit for] the construction and installation of any dry fire hydrant site. Only approved dry fire hydrant sites [will] **shall** be eligible for tax credits as indicated in this section. Under no circumstance shall such authority deny any entity the ability to provide a dry fire hydrant site when tax credits are not requested.

4. The department of [economic development] **public safety** shall certify to the department of revenue that the dry hydrant system meets the requirements to obtain a tax credit as specified in subsection 5 of this section.

5. In order to qualify for a tax credit under this section, a dry hydrant or new water storage facility [must] **shall** meet the following minimum requirements:

(1) Each body of water or water storage structure [must] **shall** be able to provide two hundred fifty gallons per minute for a continuous two-hour period during a fifty-year drought or freeze at a vertical lift of eighteen feet;

(2) Each dry hydrant [must] **shall** be located within twenty-five feet of an all-weather roadway and [must] **shall** be accessible to fire protection equipment;

(3) Dry hydrants shall be located a reasonable distance from other dry or pressurized hydrants; and

(4) The site shall provide a measurable economic improvement potential for rural development.

6. New credits shall not be awarded under this section after August 28, [2003] **2011**. The total amount of all tax credits allowed pursuant to this section is five hundred thousand dollars in any one fiscal year as approved by the director of the department of economic development.

7. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, [1999] **2007**, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Moore, **House Amendment No. 12** was adopted.

Representative Portwood offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 30, Section 71.012, Page 7, Line 69, by inserting after all of said line the following:

"137.106. 1. This section [may] **shall** be known and may be cited as "The Missouri Homestead Preservation Act".

2. As used in this section, the following terms shall mean:

(1) "Department", the department of revenue;

(2) "Director", the director of revenue;

(3) "Disabled", as such term is defined in section 135.010, RSMo;

(4) "Eligible owner", any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the individual is claiming the credit or who is disabled, and who had an income of equal to or less than the maximum upper limit in the year prior to completing an application pursuant to this section; or

(a) In the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered an eligible taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year prior to completing an application pursuant to this section did not exceed the maximum upper limit; or

(b) In the case of joint ownership by unmarried persons or ownership by tenancy in common by two or more unmarried persons, such owners shall be considered an eligible owner if each person with an ownership interest individually satisfies the eligibility requirements for an individual eligible owner under this section and the combined income of all individuals with an interest in the property is equal to or less than the maximum upper limit in the year prior to completing an application under this section. If any individual with an ownership interest in the property fails to satisfy the eligibility requirements of an individual eligible owner or if the combined income of all individuals with interest in the property exceeds the maximum upper limit, then all individuals with an ownership interest in such property shall be deemed ineligible owners regardless of such other individual's ability to individually meet the eligibility requirements; or

(c) In the case of property held in trust, the eligible owner and recipient of the tax credit shall be the trust itself provided the previous owner of the homestead or the previous owner's spouse: is the settlor of the trust with respect to the homestead; currently resides in such homestead; and but for the transfer of such property would have satisfied the age, ownership, and maximum upper limit requirements for income as defined in subdivisions (7) and (8) of this subsection[;].

No individual shall be an eligible owner if the individual has not paid [their] **such individual's** property tax liability, if any, in full by the payment due date in any of the three prior tax years, except that a late payment of a property tax liability in any prior year shall not disqualify a potential eligible owner if such owner paid in full the tax liability and any and all penalties, additions and interest that arose as a result of such late payment; no individual shall be an eligible owner if such person filed a valid claim for the senior citizens property tax relief credit pursuant to sections 135.010 to 135.035, RSMo;

(5) "Homestead", as such term is defined pursuant to section 135.010, RSMo, except as limited by provisions of this section to the contrary. No property shall be considered a homestead if such property was improved since the most recent annual assessment by more than five percent of the prior year appraised value, except where an eligible owner of the property has made such improvements to accommodate a disabled person;

(6) "Homestead exemption limit", a percentage increase, rounded to the nearest hundredth of a percent, which shall be equal to the percentage increase to tax liability, not including improvements, of a homestead from one tax year to the next that exceeds a certain percentage set pursuant to subsection [10] 7 of this section. [For applications filed in 2005 or 2006, the homestead exemption limit shall be based on the increase to tax liability from 2004 to 2005. For applications filed between April 1, 2005, and September 30, 2006, an eligible owner, who otherwise satisfied the requirements of this section, shall not apply for the homestead exemption credit more than once during such period.] For applications filed [after 2006] **in 2007**, the homestead exemption limit shall be based on the increase to tax liability from two years prior to application to the year immediately prior to application. **For applications filed after 2007, the homestead exemption limit shall be based on the increase to tax liability from the base year to the year prior to the application year. For purposes of this subdivision, "base year" means the year prior to the first year in which the eligible owner's application was approved, or 2006, whichever is later;**

(7) "Income", federal adjusted gross income, and in the case of ownership of the homestead by trust, the income of the settlor applicant shall be imputed to the income of the trust for purposes of determining eligibility with regards to the maximum upper limit;

(8) "Maximum upper limit", in the calendar year 2005, the income sum of seventy thousand dollars; in each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined pursuant to article X, section 17 of the Missouri Constitution.

3. Pursuant to article X, section 6(a) of the Constitution of Missouri, if in the prior tax year, the property tax liability on any parcel of subclass (1) real property increased by more than the homestead exemption limit, without regard for any prior credit received due to the provisions of this section, then any eligible owner of the property shall receive a homestead exemption credit to be applied in the current tax year property tax liability to offset the prior year increase to tax liability that exceeds the homestead exemption limit, except as eligibility for the credit is limited by the provisions of this section. The amount of the credit shall be listed separately on each taxpayer's tax bill for the current tax year, or

on a document enclosed with the taxpayer's bill. The homestead exemption credit shall not affect the process of setting the tax rate as required pursuant to article X, section 22 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent tax year.

4. [If application is made in 2005, any potential eligible owner may apply for the homestead exemption credit by completing an application through their local assessor's office. Applications may be completed between April first and September thirtieth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided to the assessor's office by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property; and
- (4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value. The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the two prior tax years.

5. If application is made in 2005, the assessor, upon request for an application, shall:

- (1) Certify the parcel number and owner of record as of January first of the homestead, including verification of the acreage classified as residential on the assessor's property record card;
- (2) Obtain appropriate prior tax year levy codes for each homestead from the county clerks for inclusion on the form;
- (3) Record on the application the assessed valuation of the homestead for the current tax year, and any new construction or improvements for the current tax year; and
- (4) Sign the application, certifying the accuracy of the assessor's entries.

6. If application is made after 2005,] Any potential eligible owner may apply for the homestead exemption credit by completing an application. Applications may be completed between April first and October fifteenth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property;
- (4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value[]; and
- (5)] .

The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the three prior tax years.

[7.] **5.** Each applicant shall send the application to the department by [September thirtieth] **October fifteenth** of each year for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the application was completed.

[8. If application is made in 2005, upon receipt of the applications, the department shall calculate the tax liability, adjusted to exclude new construction or improvements verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant has also filed a valid application for the senior citizens property tax credit, pursuant to sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit, and provide a list of all verified eligible owners to the county collectors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county collectors or county clerks in counties with a township form of government shall provide a list to the department of any verified eligible owners who failed to pay the property tax due for the tax year that ended immediately prior. Such eligible owners shall be disqualified from receiving the credit in the current tax year.

9. If application is made after 2005,] **6.** Upon receipt of the applications, the department shall calculate the tax liability, verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the

applicant also has filed a valid application for the senior citizens property tax credit under sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit and provide a list of all verified eligible owners to the county assessors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county assessors shall provide a list to the department of any verified eligible owners who made improvements not for accommodation of a disability to the homestead and the dollar amount of the assessed value of such improvements. If the dollar amount of the assessed value of such improvements totaled more than five percent of the prior year appraised value, such eligible owners shall be disqualified from receiving the credit in the current tax year.

[10.] **7.** The director shall calculate the level of appropriation necessary [to] **and** set the homestead exemption limit at five percent when based on a year of general reassessment or at two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year.

[11. For applications made in 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all but one-quarter of one percent of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. The remaining one-quarter of one percent shall be distributed to the county assessment funds of each county on a proportional basis, based on the number of eligible owners in each county; such one-quarter percent distribution shall be delineated in any such appropriation as a separate line item in the total appropriation.]

8. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

[12. After setting the homestead exemption limit for applications made in 2005, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation and assessment fund allocation to the county collector's funds of each county or the treasurer ex officio collector's fund in counties with a township form of government where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued, plus the one-quarter of one percent distribution for the county assessment funds. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section plus the one-quarter of one percent distribution for the county assessment funds. Funds, at the direction of the county collector or the treasurer ex officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or the treasurer ex officio collector's fund or may be sent by mail to the collector of a county, or the treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued. In counties with a township form of government, the county clerk shall provide the treasurer ex officio collector a summary of the homestead exemption credit for each township for the purpose of distributing the total homestead exemption credit to each township collector in a particular county.

[13.] **9.** If, in any given year after 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall[, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year] **determine the apportionment percentage by equally apportioning the appropriation among all eligible applicants on a percentage basis.** If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

[14.] **10.** After [setting the homestead exemption limit for applications made after 2005, the director shall apply the limit to the homestead of each verified eligible owner and] **determining the apportionment percentage, the**

director shall calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation to the county collector's fund of each county where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section. Funds, at the direction of the collector of the county or treasurer ex officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or may be sent by mail to the collector of a county, or treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued.

[15.] **11.** The department shall promulgate rules for implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. Any rule promulgated by the department shall in no way impact, affect, interrupt, or interfere with the performance of the required statutory duties of any county elected official, more particularly including the county collector when performing such duties as deemed necessary for the distribution of any homestead appropriation and the distribution of all other real and personal property taxes.

[16.] **12.** In the event that an eligible owner dies or transfers ownership of the property after the homestead exemption limit has been set in any given year, but prior to January first of the year in which the credit would otherwise be applied, the credit shall be void and any corresponding moneys[, pursuant to subsection 12 of this section,] shall lapse to the state to be credited to the general revenue fund. In the event the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government determines prior to issuing the credit that the individual is not an eligible owner because the individual did not pay the prior three years' property tax liability in full, the credit shall be void and any corresponding moneys[, under subsection 11 of this section,] shall lapse to the state to be credited to the general revenue fund.

[17. This section shall apply to all tax years beginning on or after January 1, 2005. This subsection shall become effective June 28, 2004.

[18.] **13.** In accordance with the provisions of sections 23.250 to 23.298, RSMo, and unless otherwise authorized pursuant to section 23.253, RSMo:

(1) Any new program authorized under the provisions of this section shall automatically sunset six years after the effective date of this section; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 13** was adopted.

Representative Wood offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 30, Page 4, Section 67.997, by inserting after all of said section the following:

"67.1016. 1. The governing body of any county of the second, third, or fourth classification may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels

situated in the county or a portion thereof. The tax shall be not more than one cent per occupied room per night, and shall be imposed solely for the purpose of promoting tourism related activities in the county. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance shall become effective unless the governing body of the county submits to the voters of the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue generated by the tax shall be collected by the county collector of revenue, shall be deposited in a special trust fund, and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund that are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds. Any interest and moneys earned on such investments shall be credited to the fund.

4. Upon adoption of the tax under this section, there shall be established in each county adopting the tax a "Tourism Commission", to consist of five members appointed by the governing body of the county. No more than one member of the tourism commission shall be a member of the governing body of the county. Of the initial members appointed, two shall hold office for one year, two shall hold office for two years, and one shall hold office for three years. Members appointed after expiration of the initial terms shall be appointed to a three-year term. Each member may be reappointed. Vacancies shall be filled by appointment by the governing body of the county for the remainder of the unexpired term. The members shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses incurred in service of the tourism commission.

5. The governing body of any county that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the county, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Whenever the governing body of any county that has adopted the tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least two percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the county and the repeal is approved by a majority of the qualified voters voting on the question.

7. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

67.1360. The governing body of:

- (1) A city with a population of more than seven thousand and less than seven thousand five hundred;
- (2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;
- (3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;
- (4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;

(5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; [or]

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants "or";

may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;"; and

Further amend said substitute, Section B, Page 29, Line 3, by inserting after the word "act" the following:

", and immediate action is necessary to meet an electoral deadline the repeal and reenactment of section 67.1360 of this act"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wood, **House Amendment No. 14** was adopted.

Representative Sutherland offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 30, Section 144.054, Page 18, Line 27, by inserting after all of said section, the following:

"144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at [his] **the licensee's** place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261, RSMo, must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license

may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261, RSMo. **Notwithstanding the provisions of section 32.057, RSMo, in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.**

2. The possession of a retail sales license **and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261, RSMo**, shall be a prerequisite to the issuance **or renewal** of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. **The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license.** The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. **In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265, RSMo, or sections 144.010 to 144.510, shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than sixty days before the date of submission for application or renewal of the city or county license.**

5. **Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 15** was adopted.

Representative Harris (23) offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 30, Section 143.006, Page 9, Line 15, by inserting after all of said section, the following:

"143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

(a) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(b) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (a) of subsection 3 of this section. The amount added pursuant to this paragraph shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(c) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002; and

(d) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(I) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this paragraph after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(a) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this paragraph shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this paragraph. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(b) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(c) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(d) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(e) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(f) The portion of capital gain specified in section 135.357, RSMo, that would otherwise be included in federal adjusted gross income;

(g) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(h) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which armed forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; [and]

(i) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an addition modification was made under paragraph (c) of subsection 2 of this section, the amount by which addition modification made under paragraph (c) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in paragraph (g) of this subsection;

(j) For all tax years beginning on or after January 1, 2007, the amount of any tuition the taxpayer pays for a student who has completed high school to attend any public institution of postsecondary education, including a university, college, vocational and technical school, and other postsecondary institutions, located within this state.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bearden offered **House Amendment No. 1 to House Amendment No. 16.**

*House Amendment No. 1
to
House Amendment No. 16*

AMEND House Amendment No. 16 to House Committee Substitute for Senate Bill No. 30, Page 4, Line 4, by inserting after the word, "**public**" the words, "**or private**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SB 30, as amended, with House Amendment No. 1 to House Amendment No. 16 and House Amendment No. 16, pending, was laid over.

THIRD READING OF HOUSE BILLS

HB 916, relating to a tax exemption on bingo pull-tabs, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 916** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Day	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	George
Grill	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider

Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Baker 25	Cooper 155	Daus	Davis	Dethrow
Frame	Grisamore	Oxford	Wright-Jones	

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Bruns	Johnson	Kratky	Marsh
Pratt	Scavuzzo	Spreng		

Representative St. Onge declared the bill passed.

HCS HB 329, relating to debt adjusters, was taken up by Representative Cunningham (145).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 065

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert

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Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 004

Casey	Dougherty	Quinn 9	Todd
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ABSENT WITH LEAVE: 007

Brown 30	Bruns	Cooper 158	Kratky	Marsh
Pratt	Spreng			

On motion of Representative Cunningham (145), **HCS HB 329** was read the third time and passed by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Liese
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Young
Mr Speaker				

NOES: 065

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs

Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Kratky	Marsh	Pratt
Spreng	Wallace			

Representative St. Onge declared the bill passed.

HCS HB 98, relating to elderly transportation services, was taken up by Representative Parson.

On motion of Representative Parson, **HCS HB 98** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Bruns	Cooper 120	Cooper 158
Kratky	Marsh	Pratt	Spreng	

Representative St. Onge declared the bill passed.

HCS HB 461, relating to the State Water Patrol, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **HCS HB 461** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	SchAAF	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Bruns	Cooper 158	Hunter	Kratky
Marsh	Pratt	Spreng		

Representative St. Onge declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 010

Bowman	Burnett	Daus	George	Hughes
Johnson	Skaggs	Talboy	Vogt	Wright-Jones

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Kratky	Lowe 44	Marsh
Pratt	Spreng			

HB 134, relating to equipment grants, was taken up by Representative Guest.

On motion of Representative Guest, **HB 134** was read the third time and passed by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Hunter
Iceet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lembke	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Mr Speaker

NOES: 031

Baker 25	Burnett	Chappelle-Nadal	Curls	Donnelly
Frame	George	Harris 23	Haywood	Holsman
Hoskins	Hubbard	Hughes	Johnson	Lampe
LeVota	Low 39	Lowe 44	Nasheed	Norr
Oxford	Page	Skaggs	Storch	Talboy
Villa	Vogt	Wright-Jones	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Bruns	Kratky	Marsh
Pratt	Spreng			

Representative St. Onge declared the bill passed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 17, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 17** was read the third time and passed by the following vote:

AYES: 108

Avery	Baker 123	Bearden	Bivins	Brandom
Bringer	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lampe	Lembke
Lipke	Loehner	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Young	Zimmerman	Mr Speaker		

NOES: 048

Aull	Baker 25	Bland	Bowman	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Fallert	Frame
George	Grill	Harris 23	Hodges	Holsman
Hughes	Johnson	Komo	Kuessner	LeVota
Liese	Low 39	Lowe 44	Meadows	Nasheed
Oxford	Quinn 9	Roorda	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Talboy
Todd	Vogt	Walsh	Walton	Witte
Wright-Jones	Yaeger	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Cooper 120	Kratky	Marsh
Pratt	Spreng			

Representative St. Onge declared the bill passed.

HCS HB 18, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 18** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cooper 120	Denison	Kratky
Marsh	Pratt	Rucker	Spreng	

Representative St. Onge declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 948, relating to genetic and metabolic screenings, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HCS HB 948** was adopted.

On motion of Representative Schaaf, **HCS HB 948** was ordered perfected and printed.

THIRD READING OF SENATE BILLS

HCS SB 30, with House Amendment No. 1 to House Amendment No. 16 and House Amendment No. 16, pending, relating to taxation, was again taken up by Representative Stevenson.

Representative Talboy offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 16**.

Representative Dempsey raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 16** is out of order pursuant to House Rule 119 and the Rules of the United States House of Representatives.

Representative St. Onge requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Bearden, **House Amendment No. 1 to House Amendment No. 16** was adopted.

Representative Talboy offered **House Substitute Amendment No. 1 for House Amendment No. 16, as amended**.

*House Substitute Amendment No. 1
for
House Amendment No. 16*

AMEND House Committee Substitute for Senate Bill No. 30, Section 143.006, Page 9, Line 15, by inserting after all of said section, the following:

"143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

(a) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(b) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (a) of subsection 3 of this section. The amount added pursuant to this paragraph shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(c) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002; and

(d) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this paragraph after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(a) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this paragraph shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this paragraph. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(b) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(c) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(d) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(e) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(f) The portion of capital gain specified in section 135.357, RSMo, that would otherwise be included in federal adjusted gross income;

(g) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(h) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which armed forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; [and]

(i) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an addition modification was made under paragraph (c) of subsection 2 of this section, the amount by which addition modification made under paragraph (c) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in paragraph (g) of this subsection;

(j) For all tax years beginning on or after January 1, 2007, the amount of any tuition the taxpayer pays for a student who has completed high school to attend any public or private institution, except any private

institution that has an employee or consultant that is a member of the Missouri General Assembly or that has an employee that is a registered sex offender, of postsecondary education, including a university, college, vocational and technical school, and other postsecondary institutions, located within this state.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Yates offered House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 16, as amended.

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 16*

AMEND House Substitute Amendment No. 1 for House Amendment No. 16, as amended, to House Committee Substitute for Senate Bill No. 30, Page 4, Line 4, after the first use of the word, "that", by deleting the words, "has an employee or consultant that is a member of the Missouri General Assembly or that"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough raised a point of order that House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 16, as amended, is in the third degree.

Representative St. Onge requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Yates, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 16, as amended, was adopted by the following vote:

AYES: 110

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 50	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hodges	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	Lipke
Loehner	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves

Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Robinson	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Schoemehl
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 033

Bland	Bowman	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Daus	Donnelly	Frame
George	Harris 23	Harris 110	Hoskins	Hughes
Johnson	Kuessner	LeVota	Liese	Lowe 44
McClanahan	Quinn 9	Schieffer	Shively	Skaggs
Swinger	Talboy	Todd	Vogt	Walton
Wildberger	Witte	Young		

PRESENT: 006

Grill	Holsman	Low 39	Meadows	Oxford
Roorda				

ABSENT WITH LEAVE: 014

Brown 30	Bruns	Cooper 120	Cooper 155	Darrough
Day	Dougherty	El-Amin	Haywood	Kratky
Marsh	Pratt	Rucker	Spreng	

On motion of Representative Talboy, **House Substitute Amendment No. 1 for House Amendment No. 16, as amended**, was adopted.

Representative Muschany offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 30, Section 143.006, Page 9, Line 15, by inserting after said section, the following:

"143.171. 1. [For all tax years beginning before January 1, 1994, for an individual taxpayer and for all tax years beginning before September 1, 1993, for a corporate taxpayer, the taxpayer shall be allowed a deduction for his federal income tax liability under chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2.] For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2007**, an individual taxpayer shall be allowed a deduction for his federal income tax liability under chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States

possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils). **For all taxable years beginning on or after January 1, 2008, the amount of the deduction allowed under this subsection after reduction for all credits thereon shall be as follows:**

- (1) **For the taxable year beginning on January 1, 2008, the greater of five thousand dollars or twenty percent of the individual's federal income tax liability in the taxable year for which the deduction is made;**
- (2) **For the taxable year beginning on January 1, 2009, the greater of five thousand dollars or forty percent of the individual's federal income tax liability in the taxable year for which the deduction is made;**
- (3) **For the taxable year beginning on January 1, 2010, the greater of five thousand dollars or sixty percent of the individual's federal income tax liability in the taxable year for which the deduction is made;**
- (4) **For the taxable year beginning on January 1, 2011, the greater of five thousand dollars or eighty percent of the individual's federal income tax liability in the taxable year for which the deduction is made;**
- (5) **For all taxable years beginning on or after January 1, 2012, the deduction shall be equal to the amount of the individual's federal income tax liability in the taxable year for which the deduction is made.**

[3.]2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2007,** a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels and lubricating oils). **For all taxable years beginning on or after January 1, 2008, the amount of the deduction allowed under this subsection after reduction for all credits thereon shall be as follows:**

- (1) **For the taxable year beginning on January 1, 2008, the deduction shall be equal to sixty percent of the corporate taxpayer's federal income tax liability for such taxable year;**
- (2) **For the taxable year beginning on January 1, 2009, the deduction shall be equal to seventy percent of the corporate taxpayer's federal income tax liability for such taxable year;**
- (3) **For the taxable year beginning on January 1, 2010, the deduction shall be equal to eighty percent of the corporate taxpayer's federal income tax liability for such taxable year;**
- (4) **For the taxable year beginning on January 1, 2011, the deduction shall be equal to ninety percent of the corporate taxpayer's federal income tax liability for such taxable year; and**
- (5) **For all taxable years beginning on or after January 1, 2012, the deduction shall be equal to the amount of the corporate taxpayer's federal income tax liability in the taxable year for which the deduction is made.**

[4.] 3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which [he] **the taxpayer** was not previously entitled to a Missouri deduction is later paid or accrued, [he] **the taxpayer** may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Avery	Baker 123	Bearden	Bivins	Brandom
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander

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Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates		

NOES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Day	Donnelly	Dougherty	Haywood	Kratky
Marsh	Pratt	Rucker	Spreng	Whorton
Young	Mr Speaker			

On motion of Representative Muschany, **House Amendment No. 17** was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 50	Casey	Corcoran	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	El-Amin	Emery
Ervin	Faith	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lembke	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley

Viebrock	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates			

NOES: 049

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Chappelle-Nadal	Curls	Darrough	Daus
Fallert	Fares	Frame	George	Harris 23
Harris 110	Hodges	Holsman	Hughes	Johnson
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Nasheed	Norr	Oxford
Quinn 9	Robinson	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Day	Donnelly	Dougherty	Haywood	Kratky
Marsh	Pratt	Rucker	Spreng	Whorton
Young	Mr Speaker			

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Avery	Baker 123	Bearden	Bivins	Brandom
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates		

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson

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Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 30	Brown 50	Bruns	Cooper 120	Cooper 155
Cooper 158	Day	Donnelly	Dougherty	Haywood
Kratky	Marsh	Pratt	Rucker	Spreng
Whorton	Young	Mr Speaker		

On motion of Representative Stevenson, **HCS SB 30, as amended**, was adopted.

On motion of Representative Stevenson, **HCS SB 30, as amended**, was read the third time and passed by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Bivins	Brandom
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lembke	Lipke
Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Page	Parson	Pearce
Pollock	Portwood	Quinn 7	Robb	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yates	

NOES: 052

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Harris 23	Harris 110	Hodges
Holsman	Hughes	Johnson	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Nasheed	Norr	Oxford	Quinn 9	Robinson
Roorda	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Swinger	Talboy	Todd	Villa

Vogt	Walsh	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 001

Richard

ABSENT WITH LEAVE: 016

Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Day	Dougherty	Haywood	Kratky	Marsh
Pratt	Rucker	Spreng	Whorton	Young
Mr Speaker				

Representative St. Onge declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Day	Dougherty	Haywood	Kratky	Marsh
Pratt	Rucker	Spreng	Whorton	Young
Mr Speaker				

HCS SCS SB 64, relating to elementary and secondary education, was taken up by Representative Wallace.

HCS SCS SB 64 was laid over.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1738 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 44 - Special Committee on Veterans

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1219 - Elementary and Secondary Education

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 5 - Crime Prevention and Public Safety

SS SCS SB 21 - Local Government

SS SB 31 - Special Committee on Professional Registration and Licensing

SS SCS SBs 49, 65, 210 & 251 - Special Committee on Utilities

SS SCS SB 85 - Health Care Policy

SCS SB 86 - Ways and Means

SCS SB 313 - Special Committee on Professional Registration and Licensing

SB 433 - Special Committee on Veterans

SCS SB 611 - Judiciary

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 38

WHEREAS, the United States Department of Agriculture's National Agricultural Statistics Service collects and publishes information on the prices and inventories of rice; and

WHEREAS, this information is used for estimations of farm income and determinations of government program payments to farmers; and

WHEREAS, it is essential to the rice industry that the estimations of farm income and determinations of government program payments more accurately reflect the current market prices and stocks of rice:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby request that the United States Department of Agriculture's National Agricultural Statistics Service add the date of June first as an additional reporting date to the "Agriculture Statistics Board" calendar and change the reporting date from August first to September first to more accurately reflect prices and stocks; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Mike Johanns, the United States Secretary of Agriculture, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SS SCS SB 320**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SB 419**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 833**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SB 513**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SB 164**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND Senate Bill No. 164, Page 25, Section 105.711, Lines 7 through 10, by striking all of said lines; and

Further amend said bill, Page 42, Section 191.831, by striking all of said section; and

Further amend said bill, Page 69, Section 256.465, by striking all of said section; and

Further amend said bill, Page 137, Section 324.001, Lines 7 through 10, by striking all of said lines; and

Further amend said bill, Page 242, Section 337.712, by striking all of said section; and

Further amend said bill, Page 342, Section 374.150, Line 22, by striking the "[" on said line; and

Further amend said page and section, Line 25, by striking said line and inserting in lieu thereof the following "**paid, or transferred to the fund during such fiscal year.**"; and

Further amend said page and section, Lines 26 through 28, by striking all of said lines; and

Further amend said bill, Page 343, Section 374.150, Line 1, by striking all of said line; and

Further amend said bill, Page 343, Section 374.155, Line 28, by striking the following "At the end"; and

Further amend said section, Page 344, Lines 1 through 4, by striking all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SB 171**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SB 498**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SB 509**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 525**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Retirement, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **SCS SB 137**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Senior Citizen Advocacy, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **SB 418**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Student Achievement, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

SENATE CONSENT BILL

Pursuant to Rule 45(f), the following bill has remained on the Senate Bills for Third Reading Consent Calendar for five legislative days without any objection, and all committee substitutes and committee amendments thereto adopted by consent: **HCS SB 322**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 16**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, for the purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2007.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 40**, entitled:

An act to repeal section 144.030, RSMo, and to enact in lieu thereof six new sections relating to tax incentives for certain energy uses.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 75**, entitled:

An act to amend chapter 173, RSMo, by adding thereto one new section relating to combat veterans.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 358**, entitled:

An act to repeal section 301.640, RSMo, and to enact in lieu thereof one new section relating to the release of a lienholder's rights upon the satisfaction of a lien or encumbrance, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 428**, entitled:

An act to amend chapter 261, RSMo, by adding thereto one new section relating to participation in an animal identification system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 496**, entitled:

An act to repeal sections 58.451, 58.720, 194.119, 194.210, 194.220, 194.230, 194.233, 194.240, 194.250, 194.260, 194.270, 194.280, 194.290, 194.304, and 302.171, RSMo, and to enact in lieu thereof twenty-nine new sections relating to anatomical gifts, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 616**, entitled:

An act to repeal sections 311.070, 311.174, 311.178, 311.190, and 311.240, and to enact in lieu thereof nine new sections relating to liquor control, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 654**, entitled:

An act to repeal sections 84.120, 84.170, and 590.040, RSMo, and to enact in lieu thereof three new sections relating to the St. Louis board of police commissioners.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 664**, entitled:

An act to repeal sections 344.020, 344.030, 344.040, 344.050, 344.060, 344.070, 344.080, and 344.105, RSMo, and to enact in lieu thereof nine new sections relating to board of nursing home administrators.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

April 19, 2007

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol - Room 306C
201 W. Capitol Ave.
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request that **House Bill No. 1118** be withdrawn. Thank you for your consideration of this request.

If you have any questions please feel free to contact my office.

Sincerely,

/s/ Robin Wright-Jones

The following member's presence was noted: Spreng.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 2:00 p.m., Monday, April 23, 2007.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Doug Ervin, District 35, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS SB 376 as recorded in the House Journal for April 19, 2007 showing that I voted no was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and

affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of April 2007.

/s/ Doug Ervin
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 19th day of April in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, April 24, 2007, 8:00 a.m. Hearing Room 3.
Select programs from the Department of Education.

BUDGET

Wednesday, April 25, 2007, 8:15 a.m. Hearing Room 3.
Tax credit review.
Executive session may follow.

ELECTIONS

Tuesday, April 24, 2007, 8:00 a.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: HJR 38

FISCAL REVIEW

Monday, April 23, 2007, 1:00 p.m. Hearing Room 7.
Any bills referred to the Committee on Fiscal Review.

RULES

Monday, April 23, 2007, Hearing Room 5 upon afternoon adjournment.
Executive session may follow.
Public hearing to be held on: SRB 613

RULES - PURSUANT TO RULE 25(21)(f)

Monday, April 23, 2007, Hearing Room 5 upon afternoon adjournment.
Executive session may follow.
Public hearings to be held on: HB 733, HCS HB 95, HCS HB 802, HCS HB 769,
HB 479, HB 1155, HCS SB 666, HCS SB 593 & SCS SB 594, SB 271, HCS SCS SB 156,
HCS SCS SBs 62 & 41, HCS SCS SB 82, SB 648, HCS SCS SB 197, HCS SB 306

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Monday, April 23, 2007, Hearing Room 6 upon afternoon adjournment.

Working session on Medicaid Reform.

Various topics will be discussed.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 24, 2007, Hearing Room 6 upon afternoon recess.

Executive session may follow.

Meeting will adjourn when the House reconvenes.

Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 25, 2007, 12:00 p.m. To Be Announced.

Executive session may follow.

Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Tuesday, April 24, 2007, 9:00 a.m. Hearing Room 2.

HB 1272 continued.

Executive session.

WAYS AND MEANS

Tuesday, April 24, 2007, 9:00 a.m. House Chamber south gallery.

Executive session.

HOUSE CALENDAR

SIXTY-FIRST DAY, MONDAY, APRIL 23, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 61, HA 1 to HA 1, HA 1, pending - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HCS HB 466 - Schaaf
- 6 HCS HB 771 - Bearden
- 7 HCS HBs 180, 396 & 615 - Day
- 8 HCS HB 238 - Yates
- 9 HB 360, HSA 1 for HA 1, HA 1, pending - Robb

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- 10 HCS HB 788 - Cooper (155)
- 11 HCS HB 218 - Stevenson
- 12 HCS HB 811 - Schad
- 13 HB 412 - Emery
- 14 HB 432 - Schaaf
- 15 HCS HB 699 - Tilley
- 16 HCS HB 768 - St. Onge
- 17 HCS HB 122 - Nance
- 18 HCS HB 487 - Cooper (120)
- 19 HCS HB 493 - Baker (123)
- 20 HCS HB 512 - Pratt
- 21 HCS HB 261, as amended - Yates
- 22 HB 746 - Franz
- 23 HB 882 - Page
- 24 HCS HB 1002 - Fisher
- 25 HCS HB 124 - Nance
- 26 HCS HB 765, HA 1, pending - Dempsey
- 27 HCS HBs 807 & 690 - Baker (123)
- 28 HCS HB 121 - Nance
- 29 HB 249 - Moore
- 30 HCS HB 252 - Robb
- 31 HCS HB 417 - Cunningham (86)
- 32 HCS HB 478 - Dethrow
- 33 HCS HB 490 - Baker (123)
- 34 HCS HB 508 - Schaaf
- 35 HCS HB 709 - Dethrow
- 36 HB 821 - Onder
- 37 HCS HB 995 - Hobbs
- 38 HCS#2 HB 85 - Kraus
- 39 HCS HB 399 - Walton
- 40 HCS HB 624 - Wilson (119)
- 41 HCS#2 HB 752 - Sutherland
- 42 HCS HB 1000 - Storch
- 43 HCS HB 1044 - Deeken
- 44 HCS HB 244 - Wells
- 45 HCS HB 587 - Tilley
- 46 HCS HB 628 - Loehner
- 47 HCS HB 629 - Hunter
- 48 HB 647, HA 2, as amended, pending - Young
- 49 HCS HB 872 - Cooper (158)
- 50 HCS HB 913 - Cooper (120)
- 51 HB 932 - Grill
- 52 HCS HB 1089 - Stevenson
- 53 HCS HB 347 - Munzlinger
- 54 HB 439 - Hunter
- 55 HCS HB 630 - Schlottach
- 56 HB 646 - Young

- 57 HCS HB 919 - Schneider
- 58 HCS HB 944 - Cooper (120)
- 59 HCS HB 1264 - Page
- 60 HB 758 - Brown (50)
- 61 HCS HB 425 - Pearce
- 62 HCS HB 429 - Jones (117)
- 63 HCS HB 716 - Davis

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-05-07, Page 1011) - Portwood

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HCS HB 891 - Kratky
- 3 HCS HB 892 - Kratky
- 4 HCS HB 1055, (Fiscal Review 4-19-07) - Sander
- 5 HB 215, (Fiscal Review 4-19-07) - Stevenson
- 6 HCS HB 948 - Schaaf

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILLS FOR SECOND READING

- 1 SS SB 40
- 2 SCS SB 75
- 3 SS SB 358
- 4 SS SCS SB 428
- 5 SS SCS SB 496
- 6 SS SCS SB 616
- 7 SS SB 654
- 8 SCS SB 664

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)

(4/16/07)

- 1 HCS SB 166 - Wood
- 2 SB 172 - Flook
- 3 HCS SB 270 - Jones (117)
- 4 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 5 SB 298 - Schaaf
- 6 SCS SB 397 - Schaaf
- 7 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 64, E.C. - Wallace
- 2 HCS SB 81 - Schlottach
- 3 HCS SCS SB 198 - Pollock
- 4 SB 233 - Stevenson
- 5 HCS SCS SB 308 - Wasson
- 6 HCS#2 SB 406, (Fiscal Review 4-12-07) - Wallace
- 7 HCS SB 416 - Pratt
- 8 SCS SB 302 - Pratt
- 9 HCS SB 25 - Franz
- 10 SCS SB 46 - Grisamore
- 11 HCS SB 84 - Franz
- 12 SCS SB 91 - St. Onge
- 13 SB 135 - Kingery
- 14 HCS SCS SB 232 - Cooper (158)
- 15 HCS SCS SB 384, E.C. - Daus
- 16 SCS SB 456 - Dempsey
- 17 HCS SCS SB 520 - Hunter
- 18 SS SCS SB 591 - Cunningham (145)
- 19 SB 352 - Ruzicka

HOUSE BILL WITH SENATE AMENDMENT

SS SCS HCS HB 16 - Icet

BILL IN CONFERENCE

SS SCS HCS HB 327, E.C. - Richard

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-FIRST DAY, MONDAY, APRIL 23, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

LORD GOD, we are grateful that our prayers do not fall on deaf ears. You hear us as we call upon You in truth. You are mindful of us.

Your word instructs us that a nation without Your guidance is a nation without order, a nation unrestrained. Blessed are those who heed Your statutes!

For You, LORD, grant wisdom! From Your mouth comes knowledge and understanding. You grant a treasure of common sense to the honest. You are a shield to those who walk with integrity. You guard the path of the just and protect those who are faithful.

We, then, understand what is right, just, and fair, and seek the right path to go. You fill our hearts with wisdom and Your knowledge fills us with joy. We, then, operate wisely, and Your revealed knowledge will give us contentment.

Protect us from the snare of earthly perfectionism and the trap of self-complacency as we seek to do what is good and right for this state.

The grace of the Lord Jesus Christ be with us all. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixtieth day was approved as printed.

HOUSE RESOLUTION

Representative Fares offered House Resolution No. 2495.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2368 through House Resolution No. 2494
House Resolution No. 2496 through House Resolution No. 2545

SECOND READING OF SENATE BILLS

SS SB 40, SCS SB 75, SS SB 358, SS SCS SB 428, SS SCS SB 496, SS SCS SB 616, SS SB 654 and SCS SB 664 were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 948 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 215** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 948** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1055** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SB 406** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Jones (89) assumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 1055, relating to sex-education and abortions, was taken up by Representative Sander.

On motion of Representative Sander, **HCS HB 1055** was read the third time and passed by the following vote:

AYES: 101

Avery	Baker 123	Bearden	Bivins	Brandom
Bringer	Casey	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Hunter
Icey	Jones 89	Jones 117	Kelly	Kingery
Kraus	Kuessner	Lembke	Liese	Lipke
Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Quinn 7	Quinn 9	Richard	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Schieffer	Schlottach	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Spreng

Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Todd	Viebrock	Villa
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Mr Speaker				

NOES: 048

Aull	Baker 25	Brown 50	Burnett	Cooper 120
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fares	Frame	Harris 23
Haywood	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Lampe	LeVota
Low 39	Lowe 44	Marsh	McClanahan	Nasheed
Norr	Oxford	Page	Robb	Robinson
Rucker	Schneider	Skaggs	Storch	Talboy
Vogt	Wallace	Whorton	Wildberger	Wright-Jones
Young	Zimmerman	Zweifel		

PRESENT: 002

Schoemehl	Yaeger
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ABSENT WITH LEAVE: 012

Bland	Bowman	Brown 30	Bruns	Chappelle-Nadal
George	Pratt	Roorda	Salva	Scharnhorst
Tilley	Walton			

Representative Jones (89) declared the bill passed.

HB 215, relating to juvenile courts, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HB 215** was read the third time and passed by the following vote:

AYES: 082

Aull	Avery	Baker 123	Bearden	Bivins
Bringer	Brown 50	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Ervin	Faith	Fares	Fisher
Flook	Funderburk	Guest	Harris 110	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Lembke	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Pearce
Portwood	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Salva	Sander	Schaaf	Schad
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Threlkeld	Viebrock	Wallace	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Young	Mr Speaker			

NOES: 072

Baker 25	Brandom	Burnett	Casey	Cooper 158
Corcoran	Curls	Darrough	Daus	Donnelly
Dusenberg	El-Amin	Fallert	Frame	Franz
George	Grill	Grisamore	Harris 23	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Page	Parson	Pollock	Quinn 9
Robinson	Roorda	Rucker	Sater	Scavuzzo
Schieffer	Schneider	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Thomson
Todd	Villa	Vogt	Walsh	Whorton
Witte	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Bowman	Brown 30	Bruns	Chappelle-Nadal
Pratt	Scharnhorst	Tilley	Walton	

Representative Jones (89) declared the bill passed.

HCS HB 948, relating to genetic and metabolic screenings, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HCS HB 948** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva

Sander	Sater	Scavuzzo	Schaaf	Schad
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Bowman	Brown 30	Bruns	Chappelle-Nadal
Pratt	Scharnhorst	Tilley	Walton	

Representative Jones (89) declared the bill passed.

HCS HB 891, relating to a credit for hiring disabled workers, was taken up by Representative Kratky.

On motion of Representative Kratky, **HCS HB 891** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Todd

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Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bowman	Brown 30	Bruns	Chappelle-Nadal
Lowe 44	Pratt	Salva	Scharnhorst	Tilley
Walton				

Representative Jones (89) declared the bill passed.

HCS HB 892, relating to a medal of freedom, was taken up by Representative Kratky.

On motion of Representative Kratky, **HCS HB 892** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bowman	Brown 30	Bruns	Chappelle-Nadal
Pratt	Scharnhorst	Schneider	Tilley	Walton

Representative Jones (89) declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 61, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, relating to prevailing wages, was taken up by Representative Ruestman.

House Amendment No. 1 to House Amendment No. 1 was withdrawn.

House Amendment No. 1 was withdrawn.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

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NOES: 066

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bowman	Brown 30	Bruns	Chappelle-Nadal
Pratt	Scharnhorst	Swinger	Tilley	Walton

Representative Ruestman moved that **HCS HB 61** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Aull	Bearden	Bivins	Brandom	Cooper 120
Cox	Cunningham 145	Davis	Day	Denison
Dethrow	Dixon	Emery	Ervin	Fisher
Flook	Franz	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Marsh	May	Moore	Munzlinger	Muschany
Nieves	Parson	Pearce	Pollock	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schad	Schoeller	Self	Smith 150
Stevenson	Stream	Thomson	Todd	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Mr Speaker		

NOES: 094

Avery	Baker 25	Baker 123	Bringer	Brown 50
Burnett	Casey	Cooper 155	Cooper 158	Corcoran
Curls	Darrough	Daus	Deeken	Dempsey
Donnelly	Dougherty	Dusenberg	El-Amin	Faith
Fallert	Fares	Frame	Funderburk	George
Grill	Grisamore	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	McClanahan	McGhee
Meadows	Meiners	Nance	Nasheed	Nolte
Norr	Onder	Oxford	Page	Portwood

Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schaaf	Schieffer	Schlottach	Schneider
Schoemehl	Shively	Silvey	Skaggs	Smith 14
Spreng	St. Onge	Storch	Sutherland	Talboy
Threlkeld	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 010

Bland	Bowman	Brown 30	Bruns	Chappelle-Nadal
Pratt	Scharnhorst	Swinger	Tilley	Walton

HB 61 was laid over.

HB 647, with House Amendment No. 2, as amended, pending, relating to deer hunting, was taken up by Representative Young.

Representative Hobbs offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 647, Page 1, Line 17, by deleting all of said line and inserting in lieu thereof the following:

"activities. Non-farming members shall have purchased a hunting or fishing license for at least five"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer raised a point of order that **House Amendment No. 2 to House Amendment No. 2** is not a technical correction and goes beyond the scope of the amendment.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled that the point of order is not in order at this time.

On motion of Representative Hobbs, **House Amendment No. 2 to House Amendment No. 2** was adopted.

Representative Frame offered **House Amendment No. 3 to House Amendment No. 2.**

House Amendment No. 3
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 647, Page 2, Line 11, by deleting said line and inserting in lieu thereof the following:

"duties.

5. The department of conservation shall hire five people in every state representative district to actively hunt and fish in his or her respective state representative district and report to the board every three months beginning on October 1, 2007. Such people shall be paid an amount of at least thirty one thousand five hundred dollars by the department, subject to appropriations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

Representative Frame moved that **House Amendment No. 3 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Corcoran offered **House Amendment No. 4 to House Amendment No. 2.**

House Amendment No. 4
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 647, Page 1, Line 18, by inserting after the word "**board**" the following:

", and shall also include those who purchase a deer tag"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Corcoran, **House Amendment No. 4 to House Amendment No. 2** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Meiners	Moore

Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Mr Speaker		

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Johnson
Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 012

Bowman	Brown 30	Bruns	Chappelle-Nadal	Hubbard
Kratky	Marsh	Pratt	Scharnhorst	Schneider
Tilley	Walton			

Representative Quinn moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 066

Avery	Bearden	Bivins	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Dethrow	Dixon	Emery	Faith
Fares	Fisher	Flook	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kelly	Lembke	LeVota	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Onder	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Schaaf
Schad	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Thomson
Wallace	Wasson	Whorton	Witte	Wright 159
Yates				

NOES: 085

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 50	Burnett	Casey	Cooper 158
Corcoran	Curls	Darrough	Daus	Day
Denison	Donnelly	Dougherty	Dusenberg	El-Amin
Ervin	Fallert	Frame	Franz	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Kingery	Komo	Kraus	Kuessner	Lampe
Liese	Lipke	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Nolte	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Salva	Sater	Scavuzzo	Schieffer	Schlottach
Schoemehl	Shively	Skaggs	Spreng	Storch
Stream	Sutherland	Swinger	Talboy	Threlkeld
Todd	Viebrock	Villa	Vogt	Walsh
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Yaeger	Young	Zimmerman	Zweifel	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 012

Bowman	Brown 30	Bruns	Chappelle-Nadal	Kratky
Marsh	Pratt	Scharnhorst	Tilley	Walton
Wells	Wright-Jones			

Representative Cooper (120) assumed the Chair.

On motion of Representative Young, **HB 647** was ordered perfected and printed.

THIRD READING OF SENATE BILL

HCS SCS SB 308, relating to licensed professionals, was taken up by Representative Wasson.

Representative Wasson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 29, Section 327.076, Line 21, by inserting immediately before the word "seal" the following:

"engineer's, land surveyor's, or landscape architect's"; and

Further amend said substitute, Page 31, Section 327.077, Lines 37 and 38, by deleting the following:

"and shall be deposited in the state general revenue fund"; and

Further amend said substitute, Page 53, Section 336.080, Line 14, by deleting the word "registered" and inserting in lieu thereof the word **"licensed"**; and

Further amend said page and section, Line 17, by deleting the word "twenty-four" and inserting in lieu thereof the following **"forty-eight"**; and

Further amend said substitute, Page 99, Section 336.225, Line 25, by deleting the word "form" and inserting in lieu thereof the following "**firm**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 1** was adopted.

Representative Wasson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 5, Section 167.195, Line 75, by inserting after said line the following:

"192.632. 1. There is hereby created a "Chronic Kidney Disease Task Force". Unless otherwise stated, members shall be appointed by the director of the department of health and senior services and shall include, but not be limited to, the following members:

- (1) Two physicians appointed from lists submitted by the Missouri State Medical Association;
- (2) Two nephrologists;
- (3) Two family physicians;
- (4) Two pathologists;
- (5) One member who represents owners or operators of clinical laboratories in the state;
- (6) One member who represents a private renal care provider;
- (7) One member who has a chronic kidney disease;
- (8) One member who represents the state affiliate of the National Kidney Foundation;
- (9) One member who represents the Missouri Kidney Program;
- (10) Two members of the house of representatives appointed by the speaker of the house of representatives;
- (11) Two members of the senate appointed by the president pro tempore of the senate;
- (12) Additional members may be chosen to represent public health clinics, community health centers, and private health insurers.

2. A chairperson and a vice-chairperson shall be elected by the members of the task force.

3. The chronic kidney task force shall:

(1) Develop a plan to educate the public and health care professionals about the advantages and methods of early screening, diagnosis, and treatment of chronic kidney disease and its complications based on kidney disease outcomes, quality initiative clinical practice guidelines for chronic kidney disease, or other medically recognized clinical practice guidelines:

(2) Make recommendations on the implementation of a cost-effective plan for early screening, diagnosis, and treatment of chronic kidney disease for the state's population;

(3) Identify barriers to adoption of best practices and potential public policy options to address such barriers;

(4) Submit a report of its findings and recommendations to the general assembly within one year of its first meeting.

4. The department of health and senior services shall provide all necessary staff, research, and meeting facilities for the chronic kidney disease task force."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 2** was adopted.

Representative Bearden offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 1, In the Title, Line 8, by inserting after "337.689," the following:

"337.700, 337.715, 337.718,"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "ninety-seven" and inserting in lieu thereof the word "one hundred"; and

Further amend said bill, Page 2, Section A, Line 7, by inserting after "337.689," the following:

"337.700, 337.715, 337.718,"; and

Further amend said bill, Page 2, Section A, Line 9, by deleting the word "ninety-seven" and inserting in lieu thereof the word "one hundred"; and

Further amend said bill, Page 2, Section A, Line 18, by inserting after "337.689," the following:

"337.700, 337.715, 337.718,"; and

Further amend said bill, Page 72, Section 337.689, Line 6, by inserting immediately after said line the following:

"337.700. As used in sections 337.700 to 337.739, the following terms mean:

- (1) "Committee", the state committee for family and marital therapists;
- (2) "Department", the Missouri department of economic development;
- (3) "Director", the director of the division of professional registration in the department of economic development;
- (4) "Division", the division of professional registration;
- (5) "Fund", the marital and family therapists' fund created in section 337.712;
- (6) "Licensed marital and family therapist", a person to whom a license has been issued pursuant to the provisions of sections 337.700 to 337.739, whose license is in force and not suspended or revoked;
- (7) "Marital and family therapy", the use of scientific and applied marriage and family theories, methods and procedures for the purpose of describing, **diagnosing**, evaluating and modifying marital, family and individual behavior within the context of marital and family systems, including the context of marital formation and dissolution. Marriage and family therapy is based on systems theories, marriage and family development, normal and dysfunctional behavior, human sexuality and psychotherapeutic, marital and family therapy theories and techniques and includes the use of marriage and family therapy theories and techniques in the **diagnosis**, evaluation, assessment and treatment of intrapersonal or interpersonal dysfunctions within the context of marriage and family systems. Marriage and family therapy may also include clinical research into more effective methods for the treatment and prevention of the above-named conditions;
- (8) "Practice of marital and family therapy", the rendering of professional marital and family therapy services to individuals, family groups and marital pairs, singly or in groups, whether such services are offered directly to the general public or through organizations, either public or private, for a fee, monetary or otherwise.

337.715. 1. Each applicant for licensure as a marital and family therapist shall furnish evidence to the division that:

- (1) The applicant has a master's degree or a doctoral degree in marital and family therapy, or its equivalent, from an acceptable educational institution accredited by a regional accrediting body or accredited by an accrediting body which has been approved by the United States Department of Education;
- (2) The applicant has twenty-four months of postgraduate supervised clinical experience acceptable to the division, as the division determines by rule;
- (3) **After August 28, 2008, the applicant shall have completed a minimum of three semester hours of graduate level course work in diagnostic systems either within the curriculum leading to a degree as defined in subdivision (1) of this subsection or as post master's graduate level course work. Each applicant shall**

demonstrate supervision of diagnosis as a core component of the postgraduate supervised clinical experience as defined in subdivision (2) of this subsection;

(4) Upon examination, the applicant is possessed of requisite knowledge of the profession, including techniques and applications research and its interpretation and professional affairs and ethics;

[(4)] (5) The applicant is at least eighteen years of age, is of good moral character, is a United States citizen or has status as a legal resident alien, and has not been convicted of a felony during the ten years immediately prior to application for licensure.

2. A licensed marriage and family therapist who has had no violations and no suspensions and no revocation of a license to practice marriage and family therapy in any jurisdiction may receive a license in Missouri provided said marriage and family therapist passes a written examination on Missouri laws and regulations governing the practice of professional counseling as defined in section 337.700, and meets one of the following criteria:

(1) Is a member in good standing and holds a certification from the Academy of Marriage and Family Therapists;

(2) Is currently licensed or certified as a licensed marriage and family therapist in another state, territory of the United States, or the District of Columbia; and

(a) Meets the educational standards set forth in subdivision (1) of subsection 1 of this section;

(b) Has been licensed for the preceding five years; and

(c) Has had no disciplinary action taken against the license for the preceding five years; or

(3) Is currently licensed or certified as a marriage and family therapist in another state, territory of the United States, or the District of Columbia that extends like privileges for reciprocal licensing or certification to persons licensed by this state with similar qualifications.

3. The division shall issue a license to each person who files an application and fee as required by the provisions of sections 337.700 to 337.739, and who furnishes evidence satisfactory to the division that the applicant has complied with the provisions of subdivisions (1) to (4) of subsection 1 of this section or with the provisions of subsection 2 of this section.

337.718. 1. Each license issued pursuant to the provisions of sections 337.700 to 337.739 shall expire on a renewal date established by the director. The term of licensure shall be twenty-four months; however, the director may establish a shorter term for the first licenses issued pursuant to sections 337.700 to 337.739. The division shall renew any license upon application for a renewal and upon payment of the fee established by the division pursuant to the provisions of section 337.712. **Effective August 28, 2008, as a prerequisite for renewal, each licensee shall furnish to the committee satisfactory evidence of the completion of the requisite number of hours of continuing education as defined by rule, which shall be no more than forty contact hours biennially. The continuing education requirements may be waived by the committee upon presentation to the committee of satisfactory evidence of illness or for other good cause.**

2. The division may issue temporary permits to practice under extenuating circumstances as determined by the division and defined by rule."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bearden, **House Amendment No. 3** was adopted.

Representative Smith (150) offered **House Amendment No. 4**.

Representative Burnett raised a point of order that **House Amendment No. 4** was not timely distributed.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

House Amendment No. 4 was withdrawn.

Representative Loehner offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Section 335.097, Page 49, Line 20, by inserting after all of said line the following:

"335.212. As used in sections 335.212 to 335.242, the following terms mean:

- (1) "Board", the Missouri state board of nursing;
- (2) "Department", the Missouri department of health and senior services;
- (3) "Director", director of the Missouri department of health and senior services;
- (4) "Eligible student", a resident who has been accepted as a full-time student in a formal course of instruction leading to an associate degree, a diploma, a bachelor of science, or a master of science in nursing or leading to the completion of educational requirements for a licensed practical nurse;
- (5) "Participating school", an institution within this state which is approved by the board for participation in the professional and practical nursing student loan program established by sections 335.212 to 335.242, having a nursing department and offering a course of instruction based on nursing theory and clinical nursing experience;
- (6) "Qualified applicant", an eligible student approved by the board for participation in the professional and practical nursing student loan program established by sections 335.212 to 335.242;
- (7) "Qualified employment", employment on a full-time basis in Missouri in a position requiring licensure as a licensed practical nurse or registered professional nurse in any hospital as defined in section 197.020, RSMo, or [public or nonprofit] **in any** agency, institution, or organization located in an area of need as determined by the department of health and senior services. Any forgiveness of such principal and interest for any qualified applicant engaged in qualified employment on a less than full-time basis may be prorated to reflect the amounts provided in this section;
- (8) "Resident", any person who has lived in this state for one or more years for any purpose other than the attending of an educational institution located within this state."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Loehner, **House Amendment No. 5** was adopted.

Representative Portwood offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 33, Section 327.441, Line 55, by inserting immediately after said line the following:

"331.010. 1. The "practice of chiropractic" is defined as the science and art of examination, diagnosis, adjustment, manipulation and treatment [of malpositioned articulations and structures of the body,] both in inpatient and outpatient settings, **by those methods commonly taught in any chiropractic college or chiropractic program in a university which has been accredited by the Council on Chiropractic Education, its successor entity or approved by the board.** [The adjustment, manipulation, or treatment shall be directed toward restoring and maintaining the normal neuromuscular and musculoskeletal function and health.] It shall not include the use of operative surgery, obstetrics, osteopathy, podiatry, nor the administration or prescribing of any drug or medicine nor the practice of medicine. The practice of chiropractic is declared not to be the practice of medicine and operative surgery or osteopathy within the meaning of chapter 334, RSMo, and not subject to the provisions of the chapter.

2. [A licensed chiropractor may practice chiropractic as defined in subsection 1 of this section by those methods commonly taught in any chiropractic college recognized and approved by the board.

3. Chiropractors may advise and instruct patients in all matters pertaining to hygiene, nutrition, and sanitary measures as taught in any chiropractic college recognized and approved by the board.

4.] The practice of chiropractic may include meridian therapy/acupressure/acupuncture with certification as required by the board."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schaaf offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 33, Section 327.441, Line 55, by inserting immediately after said line the following:

"331.010. 1. The "practice of chiropractic" is defined as the science and art of examination, diagnosis, adjustment, manipulation and treatment [of malpositioned articulations and structures of the body,] both in inpatient and outpatient settings, **by those methods commonly taught in any chiropractic college or chiropractic program in a university which has been accredited by the Council on Chiropractic Education, its successor entity or approved by the board except for the following, which will not be included even if so taught:**[. The adjustment, manipulation, or treatment shall be directed toward restoring and maintaining the normal neuromuscular and musculoskeletal function and health. It shall not include] the use of operative surgery, obstetrics, osteopathy, podiatry, nor the administration or prescribing of any drug or medicine nor the practice of medicine. The practice of chiropractic is declared not to be the practice of medicine and operative surgery or osteopathy within the meaning of chapter 334, RSMo, and not subject to the provisions of the chapter.

2. [A licensed chiropractor may practice chiropractic as defined in subsection 1 of this section by those methods commonly taught in any chiropractic college recognized and approved by the board.

3. Chiropractors may advise and instruct patients in all matters pertaining to hygiene, nutrition, and sanitary measures as taught in any chiropractic college recognized and approved by the board.

4.] The practice of chiropractic may include meridian therapy/acupressure/acupuncture with certification as required by the board."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SCS SB 308, as amended, with House Substitute Amendment No. 1 for House Amendment No. 6 and House Amendment No. 6, pending, was laid over.

COMMITTEE REPORTS

Special Committee on Tax Reform, Chairman Stevenson reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **SS SCS SBs 239, 24 & 445**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 52**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

SENATE CONSENT BILLS

Pursuant to Rule 45(f), the following bills have remained on the Senate Bills for Third Reading Consent Calendar for five legislative days without any objection, and all committee substitutes and committee amendments thereto adopted by consent: **HCS SB 166; SB 172; HCS SB 270; HCS SCS SB 288, SB 152 & SCS SB 115; SB 298; SCS SB 397** and **HCS SB 127**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1**, entitled:

An act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 3**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 368**, entitled:

An act to repeal sections 28.160, 41.950, 347.179, 351.047, 351.120, 351.125, 351.127, 351.145, 351.155, 351.484, 351.592, 351.594, 351.598, 351.602, 351.690, 355.016, 355.021, 355.066, 355.071, 355.176, 355.688, 355.706, 355.796, 355.806, 355.811, 355.821, 355.856, and 356.211, RSMo, and to enact in lieu thereof thirty new sections relating to corporate filings with the secretary of state.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 391**, entitled:

An act to amend chapter 644, RSMo, by adding thereto three new sections relating to authorization of water-related bonds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 668**, entitled:

An act to repeal sections 287.020, 287.200, 287.220, and 287.230, RSMo, and to enact in lieu thereof five new sections relating to workers' compensation, with an expiration date for a certain section and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, April 24, 2007.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fifty-second Day, Thursday, April 5, 2007, Page 1011, Line 31, by inserting immediately after said line the following:

HOUSE CONCURRENT RESOLUTION NO. 49

AN ACT

Relating to the St. Louis schools board of education

WHEREAS, because the Missouri Constitution states that a general diffusion of knowledge and intellect is necessary to preserve the rights and liberties of the people, and this finding places a solemn obligation upon the General Assembly to support education; and

WHEREAS, the Missouri General Assembly, in an effort to serve and protect the best interests of the students, teachers, staff, and taxpayers of the City of St. Louis Public School District and the taxpayers of the State of Missouri and to protect the financial assets of the St. Louis Public Schools, believes that principles should be in place to guide the upcoming transition of authority; and

WHEREAS, the Missouri General Assembly believes that the best interests are served if the Assembly acts to ensure the smoothest possible transition in governance in the interim period before the special advisory board for the City of St. Louis Public Schools under Section 162.1100, RSMo, assumes the powers of the St. Louis Public Schools Board of Education on June 15, 2007:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby encourage the current St. Louis Public Schools Board of Education and any members-elect of the board to do everything within their power to assure

a smooth transition and to refrain from taking any action or position that would work to the detriment of the academic achievement of the district's children or would worsen the district's financial position; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Tuesday, April 24, 2007, 8:00 a.m. Hearing Room 3.

Select programs from the Department of Higher Education. AMENDED

BUDGET

Wednesday, April 25, 2007, 8:15 a.m. Hearing Room 3.

Tax credit review.

Executive session may follow.

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 25, 2007, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1073

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 24, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SS SCS SB 5, SB 107

ELECTIONS

Tuesday, April 24, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HJR 38

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 24, 2007, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1205, HB 1219, SB 132, SB 140

HEALTH CARE POLICY

Tuesday, April 24, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: SS SCS SB 3, SCS SB 333

INSURANCE POLICY

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 6.

Executive session.

JUDICIARY

Tuesday, April 24, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow

Public hearings to be held on: HB 1075, SCS SB 611

LOCAL GOVERNMENT

Tuesday, April 24, 2007, 8:00 a.m. Hearing Room 6.

Executive session to follow hearing.

Public hearings to be held on: HB 701, HB 760, SB 605

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, April 24, 2007, 1:00 p.m. Hearing Room 3.

Executive session only.

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 4.

Executive session may follow. CORRECTED NOTICE

Public hearings to be held on: HJR 31, HJR 33, HJR 34, HB 567

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, April 24, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 162, SCS SB 497

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, April 24, 2007, Hearing Room 6 upon afternoon recess.

Executive session may follow.

Meeting will adjourn when the House reconvenes.

Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Tuesday, April 24, 2007, 9:00 a.m. Hearing Room 2.

HB 1272 continued.

Executive session.

SPECIAL COMMITTEE ON URBAN ISSUES

Tuesday, April 24, 2007, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 652, HB 1060

SPECIAL COMMITTEE ON VETERANS

Tuesday, April 24, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 44, SB 433

TRANSPORTATION

Tuesday, April 24, 2007, 9:00 a.m. Hearing Room 1.

Executive session may follow. Please Note Time.

Public hearing to be held on: SCS SB 309

WAYS AND MEANS

Tuesday, April 24, 2007, 9:00 a.m. House Chamber south gallery.

Executive session.

HOUSE CALENDAR

SIXTY-SECOND DAY, TUESDAY, APRIL 24, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HB 61 - Ruestman
- 2 HCS HB 90, HA 1, pending - St. Onge
- 3 HCS HB 889 - Emery
- 4 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 5 HCS HB 466 - Schaaf
- 6 HCS HB 771 - Bearden
- 7 HCS HB 180, 396 & 615 - Day
- 8 HCS HB 238 - Yates
- 9 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 10 HCS HB 788 - Cooper (155)
- 11 HCS HB 218 - Stevenson
- 12 HCS HB 811 - Schad
- 13 HB 412 - Emery
- 14 HB 432 - Schaaf
- 15 HCS HB 699 - Tilley
- 16 HCS HB 768 - St. Onge
- 17 HCS HB 122 - Nance
- 18 HCS HB 487 - Cooper (120)
- 19 HCS HB 493 - Baker (123)
- 20 HCS HB 512 - Pratt

21 HCS HB 261, as amended - Yates
22 HB 746 - Franz
23 HB 882 - Page
24 HCS HB 1002 - Fisher
25 HCS HB 124 - Nance
26 HCS HB 765, HA 1, pending - Dempsey
27 HCS HBs 807 & 690 - Baker (123)
28 HCS HB 121 - Nance
29 HB 249 - Moore
30 HCS HB 252 - Robb
31 HCS HB 417 - Cunningham (86)
32 HCS HB 478 - Dethrow
33 HCS HB 490 - Baker (123)
34 HCS HB 508 - Schaaf
35 HCS HB 709 - Dethrow
36 HB 821 - Onder
37 HCS HB 995 - Hobbs
38 HCS#2 HB 85 - Kraus
39 HCS HB 399 - Walton
40 HCS HB 624 - Wilson (119)
41 HCS#2 HB 752 - Sutherland
42 HCS HB 1000 - Storch
43 HCS HB 1044 - Deeken
44 HCS HB 244 - Wells
45 HCS HB 587 - Tilley
46 HCS HB 628 - Loehner
47 HCS HB 629 - Hunter
48 HCS HB 872 - Cooper (158)
49 HCS HB 913 - Cooper (120)
50 HB 932 - Grill
51 HCS HB 1089 - Stevenson
52 HCS HB 347 - Munzlinger
53 HB 439 - Hunter
54 HCS HB 630 - Schlottach
55 HB 646 - Young
56 HCS HB 919 - Schneider
57 HCS HB 944 - Cooper (120)
58 HCS HB 1264 - Page
59 HB 758 - Brown (50)
60 HCS HB 425 - Pearce
61 HCS HB 429 - Jones (117)
62 HCS HB 716 - Davis

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILLS FOR SECOND READING

- 1 SCS SB 368
- 2 SCS SB 391
- 3 SS SCS SB 668

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)
- 4 HCS SB 166 - Wood
- 5 SB 172 - Flook
- 6 HCS SB 270 - Jones (117)
- 7 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 8 SB 298 - Schaaf
- 9 SCS SB 397 - Schaaf
- 10 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 64, E.C. - Wallace
- 2 HCS SB 81 - Schlottach
- 3 HCS SCS SB 198 - Pollock
- 4 SB 233 - Stevenson
- 5 HCS SCS SB 308, as amended, HSA 1 for HA 6, HA 6, pending - Wasson
- 6 HCS#2 SB 406 - Wallace
- 7 HCS SB 416 - Pratt
- 8 SCS SB 302 - Pratt
- 9 HCS SB 25 - Franz

- 10 SCS SB 46 - Grisamore
- 11 HCS SB 84 - Franz
- 12 SCS SB 91 - St. Onge
- 13 SB 135 - Kingery
- 14 HCS SCS SB 232 - Cooper (158)
- 15 HCS SCS SB 384, E.C. - Daus
- 16 SCS SB 456 - Dempsey
- 17 HCS SCS SB 520 - Hunter
- 18 SS SCS SB 591 - Cunningham (145)
- 19 SB 352 - Ruzicka

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HB 1 - Icet
- 3 SCS HCS HB 2 - Icet
- 4 SCS HCS HB 3 - Icet

BILL IN CONFERENCE

SS SCS HCS HB 327, E.C. - Richard

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-SECOND DAY, TUESDAY, APRIL 24, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

First, by listening to a saying of Jesus suggested by the new life of spring.

"Consider how the lilies of the field grow; they neither toil nor spin, yet I say to you that not even Solomon in all his glory was arrayed like one of these. But if God so clothes the grass of the field, which flourishes today but tomorrow is thrown into the oven, how much more you, O you of little faith!" (*Matthew 6:28-30*)

Lord God, we praise You for providing the resources to meet the basic needs of all the people. In this House of Representatives, we have a special dominion over many of the resources You provide, and are responsible to see that they meet the needs of all the people. By Your grace help us to be faithful to Your will in the way we do our work.

We are honored that our work is so closely associated with Your word. We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lillie Glixman, Logan Milford, Elizabeth Drollinger, Brian Grzyb, Hanna Albers, Kevin Deutsch, Andrea Edwards, Paige Stipanovich, Matt Brethorst and Renee Fleddermann.

The Journal of the sixty-first day was approved as printed.

SPECIAL RECOGNITION

The Ruskin High School Golden Eagles Boys Basketball Team was introduced by Representative Brown (50) and recognized for attaining the 2006-2007 Class 4 State Championship.

SECOND READING OF SENATE BILLS

SCS SB 368, SCS SB 391 and **SS SCS SB 668** were read the second time.

PERFECTION OF HOUSE BILL

HB 61 was placed on the Informal Calendar.

Representative Muschany assumed the Chair.

THIRD READING OF SENATE BILLS

SS SCS SB 591, relating to credit unions, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **SS SCS SB 591** was truly agreed to and finally passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bowman	Brown 30	Bruns	Casey
Hunter	Kratky	Pratt	Scharnhorst	Silvey
Walton				

Representative Muschany declared the bill passed.

HCS SB 81, relating to tourism and economic development, was taken up by Representative Schlottach.

Representative Wood offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 81, Section 67.1360, Page 5, Line 103, by inserting opening and closing brackets ("[]") around the word "or"; and

Further amend said section, Page 6, Line 105, by inserting the word "**or**" after "inhabitants;" and inserting after all of said line the following:

"(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;"; and

Further amend said substitute, Section 67.2505, Page 14, Line 115, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to meet an electoral deadline the repeal and reenactment of section 67.1360 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 67.1360 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wood, **House Amendment No. 1** was adopted.

Representative Flook offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 81, Page 8, Section 67.2505, Line 39, by deleting all of said line and inserting in lieu thereof the following:

"7. Upon the filing **and approval** of a petition pursuant to this section, the governing body of any city,"; and

Further amend said bill, Page 11, Section 89.400, Line 24, by inserting after all of said line the following:

"94.837. 1. The governing body of any city of the fourth classification with more than two thousand five hundred but fewer than two thousand six hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants, the governing body of any special charter city [with more than nine hundred fifty but fewer than one thousand fifty inhabitants], and the governing body of any city of the fourth classification with more than one thousand two hundred but fewer than one thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than four thousand three hundred but fewer than four thousand four hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?
☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Flook, **House Amendment No. 2** was adopted.

Representative Dougherty offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 81, Page 10, Section 67.2510, Line 22, by inserting after all of said line the following:

"82.875. 1. The governing body of any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one percent of the gross receipts of such retail sales, may be imposed in increments of one-eighth of one percent, and shall be imposed solely for the purpose of funding police services provided by the police department of the city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Police Services Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become

effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 3** was adopted.

Representative Wood offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 81, Section 67.1003, Page 3, Line 39, by inserting after all of said line the following:

"67.1016. 1. The governing body of any county of the second, third, or fourth classification may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the county or a portion thereof. The tax shall be not more than one cent per occupied room per night, and shall be imposed solely for the purpose of promoting tourism related activities in the county. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance shall become effective unless the governing body of the county submits to the voters of the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue generated by the tax shall be collected by the county collector of revenue, shall be deposited in a special trust fund, and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund that are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds. Any interest and moneys earned on such investments shall be credited to the fund.

4. Upon adoption of the tax under this section, there shall be established in each county adopting the tax a "Tourism Commission", to consist of five members appointed by the governing body of the county. No more than one member of the tourism commission shall be a member of the governing body of the county. Of the initial members appointed, two shall hold office for one year, two shall hold office for two years, and one shall hold office for three years. Members appointed after expiration of the initial terms shall be appointed to a three-year term. Each member may be reappointed. Vacancies shall be filled by appointment by the governing body of the county for the remainder of the unexpired term. The members shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses incurred in service of the tourism commission.

5. The governing body of any county that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the county, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Whenever the governing body of any county that has adopted the tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least two percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the county and the repeal is approved by a majority of the qualified voters voting on the question.

7. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs offered **House Amendment No. 1 to House Amendment No. 4.**

Representative Jones (89) raised a point of order that **House Amendment No. 1 to House Amendment No. 4** goes beyond the scope of the underlying amendment.

Representative Muschany requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS SB 81, as amended, with House Amendment No. 4, pending, was laid over.

HCS SCS SB 198, relating to the use of lands, was taken up by Representative Pollock.

Speaker Pro Tem Bearden assumed the Chair.

Representative Hughes offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 198, Page 1, Section 195.217, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Talboy offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 198, Section 195.217, Page 1, Line 3, by deleting the words "**heroin, cocaine, LSD, amphetamine, or methamphetamine**" and inserting in lieu thereof the following:

"a controlled substance"; and

Further amend said section, said page, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"2. Unlawful distribution of a controlled substance near a park shall be a penalty consistent to that of unlawful distribution of a controlled substance to a minor as established in section 195.212."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SCS SB 198, with House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 376, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HCS SB 376, as amended, relating to financial impact on tourism, was taken up by Representative Wood.

Representative Wood moved that the House refuse to recede from its position on **HCS SB 376, as amended**, and grant the Senate a conference.

Which motion was adopted.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Nieves.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nikolas McCurren, Bianca Wiseman, Malory Snyder and Taylor Tribble.

SPECIAL RECOGNITION

Dr. Janice Brunstrom of St. Louis was introduced by Representative Storch and recognized as an Outstanding Missourian.

HOUSE RESOLUTION

Representative Day offered House Resolution No. 2548.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2546 and House Resolution No. 2547
House Resolution No. 2549 through House Resolution No. 2634

HOUSE CONCURRENT RESOLUTION

Representative Pearce, et al., offered House Concurrent Resolution No. 57.

THIRD READING OF SENATE BILL

SB 233, relating to a sales tax for Perry County, was taken up by Representative Stevenson.

Representative Stevenson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 233, Page 1, Section 67.997, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"county. One-half of all revenue collected under this section, less one-half the cost of collection shall be"; and

Further amend said bill, Page 1, Section 67.997, Line 12, by deleting all of said line and inserting in lieu thereof the following:

"of all revenue collected under this section, less one-half the cost of collection shall be used solely to fund"; and

Further amend said bill, Page 2, Section 67.997, Lines 42 to 69, by deleting all of said lines and inserting in lieu thereof the following:

"3. On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087, RSMo, shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Senior Services and Youth Programs Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 1** was adopted.

Representative Dempsey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Bill No. 233, Page 1, Section A, Line 2, by inserting after all of said line the following:

**"67.113. 1. This section shall be known and may be cited as "The Children's Services Protection Act".
2. Any city or county which has levied the sales tax under section 67.1775 to provide services for children in need shall reimburse the community children's services fund in an amount equal to the portion of revenue from the tax that is used for or diverted to any redevelopment plan or project approved or adopted after August 28, 2007, in any tax increment financing district in any county in this state.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Dempsey, **House Amendment No. 2** was adopted.

Representative Nolte offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Bill No. 233, Page 5, Section 67.997, by inserting after all of said section the following:

"67.1003. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county or (1) a county of the third classification with a population of more than seven thousand but less than seven thousand four hundred inhabitants; (2) or a third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than thirty thousand; (3) or a county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand; (4) or any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand; (5) or any city of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants; (6) or any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed in any city or county already imposing such tax pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels

and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 3** was adopted.

Representative Robb offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Bill No. 233, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.797. 1. When a regional recreational district is organized in only one county, the executive, as that term is defined in subdivision (4) of section 67.750, with the advice and consent of the governing body of the county shall appoint a board of directors for the district consisting of seven persons, chosen from the residents of the district. Where the district is in more than one county, the executives, as defined in subdivision (4) of section 67.750, of the counties in the district [shall], with the advice and consent of the governing bodies of each county shall, as nearly as practicable, evenly appoint such members and allocate staggered terms pursuant to subsection 2 of this section, with the county having the largest area within the district appointing a greater number of directors if the directors cannot be appointed evenly. No member of the governing body of the county or official of any municipal government located within the district shall be a member of the board and no director shall receive compensation for performance of duties as a director. Members of the board of directors shall be citizens of the United States and they shall reside within the district. No board member shall be interested directly or indirectly in any contract entered into pursuant to sections 67.792 to 67.799.

2. The directors appointed to the regional recreation district shall hold office for three-year terms, except that of the members first appointed, two shall hold office for one year, two shall hold office for two years and three shall hold office for three years. The executives of the counties within the regional recreational district shall meet to determine and implement a fair allocation of the staggered terms among the counties, provided that counties eligible to appoint more than one board member may not appoint board members with identical initial terms until each of a one-year, two-year and three-year initial term has been applied to such county. On the expiration of such initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the executives of the respective counties, with the advice and consent of the respective governing bodies. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and such successors have commenced their terms as board members. Board members shall be eligible for reappointment. Upon the petition of the county executive of the county from which the board member received his or her appointment, the governing body of the county may remove any board member for misconduct or neglect of duties.

3. Notwithstanding any other provision of sections 67.750 to 67.799, to the contrary, after August 28, 2004, in any district located in whole or in part in any county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, upon the expiration of such initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by election at the next regularly scheduled election date throughout the district. In the event that a vacancy exists before the expiration of a term, the governing body of the county shall appoint a member for the remainder of the unexpired term. Board members shall be elected for terms of three years. Such elections shall be held according to this section and the applicable laws of this state. If no person files as a candidate for election to the vacant office within the applicable deadline for filing as a candidate, then the governing body of any such county shall appoint a person to be a member of the board for a term of three years. Any appointed board members shall be eligible to run for office.

4. Directors shall immediately after their appointment meet and organize by the election of one of their number president, and by the election of such other officers as they may deem necessary. The directors shall make and adopt such bylaws, rules and regulations for their guidance and for the government of the parks, neighborhood trails and recreational grounds and facilities as may be expedient, not inconsistent with sections 67.792 to 67.799. They shall have the exclusive control of the expenditures of all money collected to the credit of the regional recreational fund and of the supervision, improvement, care and custody of public parks, neighborhood trails, recreational facilities and grounds owned, maintained or managed by the district. All moneys received for such purposes shall be deposited in the treasury of the county containing the largest portion of the district to the credit of the regional recreational fund and shall be kept separate and apart from the other moneys of such county. Such board shall have power to purchase or otherwise secure ground to be used for such parks, neighborhood trails, recreational grounds and facilities, shall have power to appoint suitable persons to maintain such parks, neighborhood trails and recreational facilities and administer recreational programs and fix their compensation, and shall have power to remove such appointees.

5. The board of directors may issue debt for the district pursuant to section 67.798.

6. If a county, or a portion of a county, not previously part of any district, shall enter a district, the executives of the new member county and any previous member counties shall promptly meet to apportion the board seats among the counties participating in the enlarged district. All purchases in excess of ten thousand dollars used in the construction or maintenance of any public park, neighborhood trail or recreational facility in the regional recreation district shall be made pursuant to the lowest and best bid standard as provided in section 34.040, RSMo, or pursuant to the lowest and best proposal standard as provided in section 34.042, RSMo. The board of the district shall have the same discretion, powers and duties as the commissioner of administration has in sections 34.040 and 34.042, RSMo.

7. Notwithstanding any other provisions in this section to the contrary, when a regional recreational district is organized in only one county on land owned solely by the county, the governing body of the county shall have exclusive control of the expenditures of all moneys collected to the credit of the regional recreational fund, and of the supervision, improvement, care, and custody of public parks, neighborhood trails, recreational facilities, and grounds owned, maintained, or managed by the county within the district."; and

Further amend said bill, Page 5, Section 67.997, Line 160, by inserting after all of said line the following:

"100.050. 1. Any municipality proposing to carry out a project for industrial development shall first, by majority vote of the governing body of the municipality, approve the plan for the project. The plan shall include the following information pertaining to the proposed project:

- (1) A description of the project;
- (2) An estimate of the cost of the project;
- (3) A statement of the source of funds to be expended for the project;
- (4) A statement of the terms upon which the facilities to be provided by the project are to be leased or otherwise disposed of by the municipality; and

(5) Such other information necessary to meet the requirements of sections 100.010 to 100.200.

2. If the plan for the project is approved after August 28, 2003, and the project plan involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality, the project plan shall additionally include the following information:

(1) A statement identifying each school district, junior college district, county, or city affected by such project except property assessed by the state tax commission pursuant to chapters 151 and 153, RSMo;

(2) The most recent equalized assessed valuation of the real property and personal property included in the project, and an estimate as to the equalized assessed valuation of real property and personal property included in the project after development;

(3) An analysis of the costs and benefits of the project on each school district, junior college district, county, or city; and

(4) Identification of any payments in lieu of taxes expected to be made by any lessee of the project, and the disposition of any such payments by the municipality.

3. If the plan for the project is approved after August 28, 2003, any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of issuing the bonds and administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each school district, junior college district, county, or city in proportion to the current ad valorem tax levy of each

school district, junior college district, county, or city; however, in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, **or any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**, if the plan for the project is approved after May 15, 2005, such amounts shall be disbursed by the municipality's treasurer or other financial officer to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.

100.059. 1. The governing body of any municipality proposing a project for industrial development which involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality shall, not less than twenty days before approving the plan for a project as required by section 100.050, provide notice of the proposed project to the county in which the municipality is located and any school district that is a school district, junior college district, county, or city; however, in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, **or any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**, if the plan for the project is approved after May 15, 2005, such notice shall be provided to all affected taxing entities in the county. Such notice shall include the information required in section 100.050, shall state the date on which the governing body of the municipality will first consider approval of the plan, and shall invite such school districts, junior college districts, counties, or cities to submit comments to the governing body and the comments shall be fairly and duly considered.

2. Notwithstanding any other provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to section 26(b), article VI, Constitution of Missouri, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

3. The county assessor shall include the current assessed value of all property within the school district, junior college district, county, or city in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, RSMo, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to section 26(b), article VI, Constitution of Missouri.

4. This section is applicable only if the plan for the project is approved after August 28, 2003."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Robb, **House Amendment No. 4** was adopted.

Representative Dougherty offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Bill No. 233, Section 67.997, Page 5, Line 160, by inserting after all of said line the following:

"82.875. 1. The governing body of any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one percent of the gross receipts of such retail sales, may be imposed in increments of one-eighth of one percent, and shall be imposed solely for the purpose of funding police services provided by the police department of the city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted

under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City Police Services Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 5** was adopted.

On motion of Representative Stevenson, **SB 233, as amended**, was read the third time and passed by the following vote:

AYES: 088

Avery	Baker 25	Bearden	Bivins	Brandom
Brown 50	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Darrough	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Faith	Fares	Fisher	Franz
Funderburk	Guest	Hobbs	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Liese	Lipke	Loehner	May

McGhee	Meiners	Moore	Munzlinger	Nance
Nieves	Nolte	Parson	Pearce	Pollock
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Schlottach
Schoeller	Self	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Young	Mr Speaker		

NOES: 066

Aull	Baker 123	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Cunningham 86	Curls	Daus
Davis	Donnelly	Dusenberg	El-Amin	Ervin
Fallert	Flook	Frame	George	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Low 39
Lowe 44	McClanahan	Meadows	Muschany	Nasheed
Norr	Onder	Oxford	Page	Portwood
Quinn 9	Robinson	Roorda	Scavuzzo	Schieffer
Schneider	Schoemehl	Shively	Silvey	Skaggs
Spreng	Storch	Todd	Vogt	Walsh
Wildberger	Witte	Yaeger	Yates	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Bruns	Kratky	Marsh
Pratt	Rucker	Salva	Scharnhorst	

Representative Nieves declared the bill passed.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SB 376: Representatives Wood, Cooper (120), Tilley, Aull and Lampe

Representative Nieves resumed the Chair.

THIRD READING OF SENATE BILL

HCS SCS SB 198, with House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending, relating to the use of lands, was again taken up by Representative Pollock.

Representative Yates offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

Representative Roorda raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** is not a true amendment to the amendment.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Yates offered **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Amendment No. 2
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No.1 for House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 198, Page 1, Line 2, by deleting the word "deleting" and inserting in lieu thereof the following:

"inserting after"; and

Further amend said substitute amendment, Lines 3 and 4, by deleting the words 'and inserting in lieu thereof the following: "**a controlled substance**"; and' and inserting in lieu thereof the following:

'the words "**or phencyclidine**"; and'; and

Further amend said substitute amendment, by deleting all of Lines 6-10; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Yates, **House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 121

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 50	Casey
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	May
McClanahan	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Parson	Pearce	Pollock	Portwood

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Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zimmerman
Mr Speaker				

NOES: 030

Bland	Burnett	Corcoran	Curls	Donnelly
El-Amin	George	Haywood	Holsman	Hughes
Johnson	LeVota	Low 39	Lowe 44	Nasheed
Oxford	Rucker	Schoemehl	Skaggs	Spreng
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Wright-Jones	Yaeger	Zweifel

PRESENT: 001

Sander

ABSENT WITH LEAVE: 011

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
Kratky	Marsh	McGhee	Page	Pratt
Scharnhorst				

Representative Talboy moved that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, be withdrawn.

Representative Yates raised a point of order that pursuant to Rule 67, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, may not be withdrawn.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

House Amendment No. 1, with House Substitute Amendment No. 1, as amended, pending, was withdrawn.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery

Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoeller	Self
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 060

Baker 25	Bland	Bringer	Brown 50	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 006

Aull	Frame	Quinn 9	Spreng	Todd
Young				

ABSENT WITH LEAVE: 012

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
Hoskins	Hubbard	Kratky	Marsh	Pratt
Scharnhorst	Silvey			

On motion of Representative Pollock, **HCS SCS SB 198** was adopted by the following vote:

AYES: 127

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Sander

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Sater	Scavuzzo	Schaaf	Schad	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 024

Bland	Brown 50	Burnett	Curls	George
Haywood	Holsman	Hubbard	Hughes	Johnson
LeVota	Low 39	Lowe 44	Nasheed	Oxford
Rucker	Salva	Schieffer	Talboy	Vogt
Walton	Whorton	Wildberger	Wright-Jones	

PRESENT: 002

Darrough	Spreng
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ABSENT WITH LEAVE: 010

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
El-Amin	Kratky	Marsh	Pratt	Scharnhorst

On motion of Representative Pollock, **HCS SCS SB 198** was read the third time and passed by the following vote:

AYES: 124

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh

Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 026

Bland	Brown 50	Burnett	Curls	Darrough
El-Amin	George	Haywood	Holsman	Hubbard
Hughes	Johnson	LeVota	Low 39	Lowe 44
Nasheed	Oxford	Rucker	Salva	Schieffer
Talboy	Vogt	Walton	Whorton	Wildberger
Wright-Jones				

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 012

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
Funderburk	Kratky	Marsh	Nolte	Pratt
Scharnhorst	Schlottach			

Representative Nieves declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 30, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 376, as amended**: Senators Griesheimer, Nodler, Goodman, Callahan and Kennedy.

BILL CARRYING REQUEST MESSAGE

HCS SB 30, as amended, relating to taxation, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to recede from its position on **HCS SB 30, as amended**, and grant the Senate a conference.

Representative Roorda made a substitute motion that the House refuse to recede from its position on **HCS SB 30, as amended**, and grant the Senate a conference, and that the House bind the House conferees to the Senate position on said bill.

Representative Stevenson raised a point of order that the substitute motion on **HCS SB 30** is not properly drafted.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Stevenson again moved that the House refuse to recede from its position on **HCS SB 30, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SCS SB 308, as amended, with House Substitute Amendment No. 1 for House Amendment No. 6, and House Amendment No. 6, pending, relating to licensed professionals, was taken up by Representative Wasson.

Representative Schaaf moved that **House Substitute Amendment No. 1 for House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 023

Burnett	Curls	Daus	Donnelly	George
Harris 23	Harris 110	Holsman	Hughes	Hunter
Liese	Onder	Page	Rucker	Schaaf
Stevenson	Talboy	Villa	Vogt	Whorton
Wright 159	Yaeger	Young		

NOES: 129

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Haywood	Hobbs	Hodges	Hoskins	Hubbard
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Schieffer	Schlottach	Schneider

Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Yates	Zimmerman	Zweifel	Mr Speaker	

PRESENT: 001

Storch

ABSENT WITH LEAVE: 010

Bowman	Brown 30	Bruns	Chappelle-Nadal	Corcoran
Dempsey	Kratky	Marsh	Pratt	Scharnhorst

On motion of Representative Portwood, **House Amendment No. 6** was adopted.

Representative Page offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 59, Section 337.600, Line 92, by inserting immediately after the word "**workers**" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work"; and

Further amend said bill, Page 60, Section 337.600, Line 94, by deleting all of said line and inserting in lieu thereof the following:

"(c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by the state committee for social"; and

Further amend said bill, Page 60, Section 337.600, Line 103, by inserting immediately after the word "**workers**" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work"; and

Further amend said bill, Page 60, Section 337.600, Line 105, by deleting all of said line and inserting in lieu thereof the following:

"(c) Met all the requirements of sections 337.600 to 337.689, and as defined by rule by the state committee for social"; and

Further amend said bill, Page 60, Section 337.600, Line 112, by inserting immediately after the word "**workers**" the following:

". All organizations providing the supervisory training shall adhere to the basic content and quality standards outlined by the State Committee on Social Work"; and

Further amend said bill, Page 63, Section 337.618, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

"of continuing education for renewal of a license issued pursuant to sections 337.600 to [337.639]"; and

Further amend said bill, Page 63, Section 337.622, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"2. The committee shall consist of [nine] **ten** members, including a public member"; and

Further amend said bill, Page 64, Section 337.622, Line 11, by deleting all of said line and inserting in lieu thereof the following:

"licensed baccalaureate social workers, **one licensed advanced macro social worker**, and one voting"; and

Further amend said bill, Page 69, Section 337.644, Line 14, by deleting the word "**division**" and inserting in lieu thereof the word "**committee**"; and

Further amend said bill, Page 72, Section 337.665, Line 17, by deleting all of said line and inserting in lieu thereof the following:

"[division] **committee**."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 7** was adopted.

Representative Page offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 2, Section 167.194, Line 1, by inserting immediately preceding all of said line the following:

"37.800. 1. This section shall be known and may be cited as the "The Human Voice Contact Act".

2. A state agency that uses automated telephone answering equipment to answer incoming telephone calls shall, during normal business hours of the agency, provide the caller with the option of speaking to a live operator. This section shall not apply to field offices, telephone lines dedicated as hotlines for emergency services, telephone lines dedicated to providing general information, and any system that is designed to permit an individual to conduct a complete transaction with the state agency over the telephone solely by pressing one or more touch tone telephone keys in response to automated prompts. As used in this section, "state agency" refers to each board, commission, department, officer or other administrative office or unit of the state other than the general assembly, the courts, the governor, or a political subdivision of the state, existing under the constitution or statute."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 8** was adopted.

Representative Jones (117) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, Page 6, Section 192.935, Line 28, by inserting after all of said line the following:

"195.070. 1. A physician, podiatrist, dentist, or a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, RSMo, in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. **An advanced practice registered nurse, as defined in section 335.016, RSMo, who holds a certificate of controlled substance prescriptive authority from the board of nursing pursuant to section 335.019, RSMo, and who is delegated the authority to prescribe controlled substances under a controlled substance collaborative practice agreement pursuant to section 334.104, RSMo, may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, RSMo. However, no such certified advanced practice registered nurse shall ever, under any circumstances, prescribe controlled substance for his or her own self or family.**

3. A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and he may cause them to be administered by an assistant or orderly under his direction and supervision.

[3.] 4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug.

[4.] 5. An individual practitioner may not prescribe or dispense a controlled substance for such practitioner's personal use except in a medical emergency.

195.100. 1. It shall be unlawful to distribute any controlled substance in a commercial container unless such container bears a label containing an identifying symbol for such substance in accordance with federal laws.

2. It shall be unlawful for any manufacturer of any controlled substance to distribute such substance unless the labeling thereof conforms to the requirements of federal law and contains the identifying symbol required in subsection 1 of this section.

3. The label of a controlled substance in Schedule II, III or IV shall, when dispensed to or for a patient, contain a clear, concise warning that it is a criminal offense to transfer such narcotic or dangerous drug to any person other than the patient.

4. Whenever a manufacturer sells or dispenses a controlled substance and whenever a wholesaler sells or dispenses a controlled substance in a package prepared by him, he shall securely affix to each package in which that drug is contained, a label showing in legible English the name and address of the vendor and the quantity, kind, and form of controlled substance contained therein. No person except a pharmacist for the purpose of filling a prescription under sections 195.005 to 195.425, shall alter, deface, or remove any label so affixed.

5. Whenever a pharmacist or practitioner sells or dispenses any controlled substance on a prescription issued by a physician, dentist, podiatrist [or] veterinarian, **or advanced practice registered nurse**, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name and address of the pharmacy or practitioner for whom he is lawfully acting; the name of the patient or, if the patient is an animal, the name of the owner of the animal and the species of the animal; the name of the physician, dentist, podiatrist [or] , veterinarian, **or advanced practice registered nurse** by whom the prescription was written; **the name of the collaborating physician if the prescription is written by an advanced practice registered nurse**, and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed.

334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice nurse as defined in subdivision (2) of section 335.016, RSMo. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. **Controlled substance collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, RSMo, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, RSMo. Such controlled substance**

collaborative practice agreements shall be in writing and shall also set forth provisions for the type of collaboration between the advanced practice registered nurse and the collaborating physician. The written controlled substance collaborative practice agreement shall contain at least the following provisions:

- (1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;
- (2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;
- (3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse;
- (4) All specialty or board certifications of the collaborating physician and the advanced practice registered nurse;
- (5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:
 - (a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;
 - (b) Maintain geographic proximity; and
 - (c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;
- (6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, and that it is consistent with each professional's education, knowledge, skill, and competence;
- (7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse; and
- (8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036, RSMo, may jointly promulgate rules regulating the use of collaborative practice arrangements **and controlled substance collaborative practice arrangements**. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements **including collaborative practice arrangements delegating the authority to prescribe controlled substances**. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197, RSMo.

[4.] 5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

[5.] 6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, **including collaborative practice arrangements delegating the authority to prescribe controlled substances**, or

physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

[6.] 7. Notwithstanding anything to the contrary in this section, a registered nurse who has graduated from a school of nurse anesthesia accredited by the Council on Accreditation of Educational Programs of Nurse Anesthesia or its predecessor and has been certified or is eligible for certification as a nurse anesthetist by the Council on Certification of Nurse Anesthetists shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present.

10. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority regarding protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

11. No contract or other agreement shall require an advanced practice registered nurse to act as a collaborating advanced practice registered nurse for a collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician.

335.016. As used in this chapter, unless the context clearly requires otherwise, the following words and terms mean:

(1) "Accredited", the official authorization or status granted by an agency for a program through a voluntary process;

(2) "Advanced practice **registered** nurse", a nurse who has [had] education beyond the basic nursing education and is certified by a nationally recognized [professional organization] **certifying body** as [having a nursing specialty, or who meets criteria for advanced practice nurses established by the board of nursing. The board of nursing may promulgate rules specifying which professional nursing organization certifications are to be recognized as advanced practice nurses, and may set standards for education, training and experience required for those without such specialty certification to become advanced practice nurses.] **an advanced registered nurse practitioner, certified nurse midwife, or a certified clinical nurse specialist. The board shall have the authority to approve any nationally recognized certifying body for the purposes of this section.** Advanced practice nurses and only such individuals may use the title "Advanced Practice Registered Nurse" and the abbreviation "APRN";

(3) "Advanced registered nurse practitioner", a registered nurse who is currently certified as a nurse practitioner by a nationally recognized certifying body approved by the board of nursing;

(4) "Approval", official recognition of nursing education programs which meet standards established by the board of nursing;

[4)] (5) "Board" or "state board", the state board of nursing;

(6) "Certified clinical nurse specialist", a registered nurse who is currently certified as a clinical nurse specialist by a nationally recognized certifying board approved by the board of nursing;

(7) "Certified nurse midwife", a registered nurse who is currently certified as a nurse midwife by the American College of Nurse Midwives, or other nationally recognized certifying body approved by the board of nursing;

[5)] (8) "Executive director", a qualified individual employed by the board as executive secretary or otherwise to administer the provisions of this chapter under the board's direction. Such person employed as executive director shall not be a member of the board;

[(6)] (9) "Inactive nurse", as defined by rule pursuant to section 335.061;

[(7)] (10) A "licensed practical nurse" or "practical nurse", a person licensed pursuant to the provisions of this chapter to engage in the practice of practical nursing;

[(8)] (11) "Licensure", the issuing of a license to practice professional or practical nursing to candidates who have met the specified requirements and the recording of the names of those persons as holders of a license to practice professional or practical nursing;

[(9)] (12) "Practical nursing", the performance for compensation of selected acts for the promotion of health and in the care of persons who are ill, injured, or experiencing alterations in normal health processes. Such performance requires substantial specialized skill, judgment and knowledge. All such nursing care shall be given under the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse. For the purposes of this chapter, the term "direction" shall mean guidance or supervision provided by a person licensed by a state regulatory board to prescribe medications and treatments or a registered professional nurse, including, but not limited to, oral, written, or otherwise communicated orders or directives for patient care. When practical nursing care is delivered pursuant to the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse, such care may be delivered by a licensed practical nurse without direct physical oversight;

[(10)] (13) "Professional nursing", the performance for compensation of any act which requires substantial specialized education, judgment and skill based on knowledge and application of principles derived from the biological, physical, social and nursing sciences, including, but not limited to:

(a) Responsibility for the teaching of health care and the prevention of illness to the patient and his or her family;

(b) Assessment, nursing diagnosis, nursing care, and counsel of persons who are ill, injured or experiencing alterations in normal health processes;

(c) The administration of medications and treatments as prescribed by a person licensed by a state regulatory board to prescribe medications and treatments;

(d) The coordination and assistance in the delivery of a plan of health care with all members of a health team;

(e) The teaching and supervision of other persons in the performance of any of the foregoing;

[(11) A] (14) "Registered professional nurse" or "registered nurse", a person licensed pursuant to the provisions of this chapter to engage in the practice of professional nursing.

335.019. The board of nursing may grant a certificate of controlled substance prescriptive authority to an advanced practice nurse who:

(1) Submits proof of successful completion of an advanced pharmacology course that shall include preceptorial experience in the prescription of drugs, medicines and therapeutic devices; and

(2) Provides documentation of a minimum of three hundred clock hours preceptorial experience in the prescription of drugs, medicines, and therapeutic devices with a qualified preceptor; and

(3) Provides evidence of a minimum of one thousand hours of practice in an advanced practice nursing category prior to application for a certificate of prescriptive authority. The one thousand hours shall not include clinical hours obtained in the advanced practice nursing education program. The one thousand hours of practice in an advanced practice nursing category may include transmitting a prescription order orally or telephonically or to an inpatient medical record from protocols developed in collaboration with and signed by a licensed physician; and

(4) Has a controlled substance prescribing authority delegated in the collaborative practice agreement pursuant to section 334.104, RSMo, with a physician who has an unrestricted federal Drug Enforcement Administration registration number and who is actively engaged in a practice comparable in scope, specialty, or expertise to that of the advanced practice registered nurse."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Page offered **House Substitute Amendment No. 1 for House Amendment No. 9.**

Representative Stevenson raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 9** is not a true substitute amendment, goes beyond the scope of the bill, and was not timely distributed.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the first point of order well taken.

Speaker Jetton resumed the Chair.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

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PRESENT: 004

Frame	Quinn 9	Spreng	Todd
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ABSENT WITH LEAVE: 009

Bowman	Brown 30	Bruns	Chappelle-Nadal	Dempsey
Kratky	Marsh	Pratt	Scharnhorst	

Representative Jones (117) moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	El-Amin	Fallert	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 003

Frame Spreng Todd

ABSENT WITH LEAVE: 010

Bowman Brown 30 Bruns Chappelle-Nadal Dempsey
Donnelly Kratky Marsh Pratt Scharnhorst

On motion of Representative Wasson, **HCS SCS SB 308, as amended**, was adopted.

On motion of Representative Wasson, **HCS SCS SB 308, as amended**, was read the third time and passed by the following vote:

AYES: 134

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Brandom	Bringer	Brown 50	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Faith	Fallert	Fares
Fisher	Flook	Frame	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 019

Baker 123	Burnett	Curls	Davis	Donnelly
Emery	Ervin	Franz	Harris 23	Haywood
Lowe 44	Nasheed	Oxford	Rucker	Schaaf
Schieffer	Todd	Whorton	Wildberger	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman
Kratky

Brown 30
Marsh

Bruns
Pratt

Chappelle-Nadal
Scharnhorst

Dempsey
Stevenson

Speaker Jetton declared the bill passed.

Representative Pearce assumed the Chair.

HCS SB 81, as amended, with House Amendment No. 4, pending, relating to tourism and economic development, was again taken up by Representative Schlottach.

Representative Sater offered **House Amendment No. 2 to House Amendment No. 4**.

*House Amendment No. 2
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 81, Page 1, Line 6, by deleting the word "**cent**" and inserting in lieu thereof the word "**percent**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 2 to House Amendment No. 4** was adopted.

On motion of Representative Wood, **House Amendment No. 4, as amended**, was adopted.

Representative Harris (23) offered **House Amendment No. 5**.

Representative Jones (89) raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Pearce requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS SB 81, as amended, was laid over.

COMMITTEE REPORTS

Committee on Local Government, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 103**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Education Reform, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 1052**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HCR 44**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 44

WHEREAS, the United States Department of Veterans Affairs (VA) provides medical care for veterans, including men and women, who have risked their lives to protect the security of our nation; and

WHEREAS, the funding for this health care at the VA is passed each year by Congress as part of the discretionary budget; and

WHEREAS, each year the budget that gets passed has been seriously underfunded; and

WHEREAS, this serious and now chronic shortfall affects the access to and the quality of medical care services that the VA provides for our veterans; and

WHEREAS, the priority of serving our veterans must be absolute and irrevocable, and must be the foundation for the VA and for our nation:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby urgently request the United States Congress to pass assured funding for Veterans Health Care; and

BE IT FURTHER RESOLVED that the Governor and the Missouri Congressional Delegation are urgently requested to support assured funding for our veterans' health care; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, the Secretary of Veterans Affairs, key members of Congress, all veterans organizations registered with the Missouri Veterans' Commission, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **SB 433**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 309**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 95**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 479**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 733**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 769**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 802**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 62 & 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 82**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 90 minutes for debate on Third Reading**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 156**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 90 minutes for debate on Third Reading**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 197**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 271**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 593 and SCS SB 594**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 648**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 666**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 825 - Special Committee on Professional Registration and Licensing

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 82 - Fiscal Review (Fiscal Note)

SS SCS SB 428 - Agriculture Policy

ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Wednesday, April 25, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SS SCS SB 428

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, April 26, 2007, 8:15 a.m. Hearing Room 5.

Informational presentation from: Missouri Vocational Enterprise,
The Inmate Health/Mental Health Contracts, Probation and Parole Intervention Fee.
Executive session may follow.

BUDGET

Wednesday, April 25, 2007, 8:15 a.m. Hearing Room 3.

Tax credit review.

Executive session may follow.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 1, 2007, Hearing Room 3, upon afternoon recess or 12:00 p.m. AMENDED

Public hearing to be held on: SS SCS HCS HB 327

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 25, 2007, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1073

HEALTH CARE POLICY

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: SCS SB 4

INSURANCE POLICY

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 6.

Executive session.

RULES

Wednesday, April 25, 2007, 1:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HR 1738

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, April 25, 2007, 1:00 p.m. Hearing Room 2.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 38, HCS HB 833, HB 1104, SB 498, SB 509,
SCS SB 525, SCS SB 526, SB 164, SB 513, HCS SS SCS SB 320, SCS SB 418,
HCS SCS SB 52

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Wednesday, April 25, 2007, House Chamber south gallery upon afternoon adjournment.
Executive session only.

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 4.
Executive session may follow. **CORRECTED NOTICE.**
Public hearings to be held on: HJR 31, HJR 33, HJR 34, HB 567

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 1.
Executive session may follow. **AMENDED**
Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 5.
Presentation by the Department of Public Safety and Missouri Office of Homeland Security.
Public testimony welcomed.

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 26, 2007, 8:00 a.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: SS SB 31, SCS SB 313, SCS SB 482

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Thursday, April 26, 2007, 9:30 a.m. House Chamber north gallery.
Executive session will be held on: HB 1272

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 25, 2007, 12:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HB 440, HB 1144

WAYS AND MEANS

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 3.
Possible Executive session.
Public hearing to be held on: SCS SB 86

HOUSE CALENDAR

SIXTY-THIRD DAY, WEDNESDAY, APRIL 25, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)

4 HCS HB 466 - Schaaf
5 HCS HB 771 - Bearden
6 HCS HBs 180, 396 & 615 - Day
7 HCS HB 238 - Yates
8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
9 HCS HB 788 - Cooper (155)
10 HCS HB 218 - Stevenson
11 HCS HB 811 - Schad
12 HB 412 - Emery
13 HB 432 - Schaaf
14 HCS HB 699 - Tilley
15 HCS HB 768 - St. Onge
16 HCS HB 122 - Nance
17 HCS HB 487 - Cooper (120)
18 HCS HB 493 - Baker (123)
19 HCS HB 512 - Pratt
20 HCS HB 261, as amended - Yates
21 HB 746 - Franz
22 HB 882 - Page
23 HCS HB 1002 - Fisher
24 HCS HB 124 - Nance
25 HCS HB 765, HA 1, pending - Dempsey
26 HCS HBs 807 & 690 - Baker (123)
27 HCS HB 121 - Nance
28 HB 249 - Moore
29 HCS HB 252 - Robb
30 HCS HB 417 - Cunningham (86)
31 HCS HB 478 - Dethrow
32 HCS HB 490 - Baker (123)
33 HCS HB 508 - Schaaf
34 HCS HB 709 - Dethrow
35 HB 821 - Onder
36 HCS HB 995 - Hobbs
37 HCS#2 HB 85 - Kraus
38 HCS HB 399 - Walton
39 HCS HB 624 - Wilson (119)
40 HCS#2 HB 752 - Sutherland
41 HCS HB 1000 - Storch
42 HCS HB 1044 - Deeken
43 HCS HB 244 - Wells
44 HCS HB 587 - Tilley
45 HCS HB 628 - Loehner
46 HCS HB 629 - Hunter
47 HCS HB 872 - Cooper (158)
48 HCS HB 913 - Cooper (120)
49 HB 932 - Grill
50 HCS HB 1089 - Stevenson
51 HCS HB 347 - Munzlinger
52 HB 439 - Hunter
53 HCS HB 630 - Schlottach
54 HB 646 - Young
55 HCS HB 919 - Schneider
56 HCS HB 944 - Cooper (120)
57 HCS HB 1264 - Page

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- 58 HB 758 - Brown (50)
- 59 HCS HB 425 - Pearce
- 60 HCS HB 429 - Jones (117)
- 61 HCS HB 716 - Davis
- 62 HCS HB 95 - Sater
- 63 HB 479 - Darrough
- 64 HB 733 - Page
- 65 HCS HB 769 - Bruns
- 66 HCS HB 802 - Page
- 67 HB 1155 - Wright-Jones
- 68 HCS HB 442 - Kingery
- 69 HB 727 - Portwood
- 70 HB 888 - Grisamore
- 71 HCS HB 923 - Kratky
- 72 HB 1251 - Komo

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HB 647 - Young

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)
- 4 HCS SB 166 - Wood
- 5 SB 172 - Flook
- 6 HCS SB 270 - Jones (117)
- 7 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 8 SB 298 - Schaaf
- 9 SCS SB 397 - Schaaf
- 10 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 64, E.C. - Wallace
- 2 HCS SB 81, as amended, E.C. - Schlottach
- 3 HCS#2 SB 406 - Wallace
- 4 HCS SB 416 - Pratt
- 5 SCS SB 302 - Pratt
- 6 HCS SB 25 - Franz
- 7 SCS SB 46 - Grisamore
- 8 HCS SB 84 - Franz
- 9 SCS SB 91 - St. Onge
- 10 SB 135 - Kingery
- 11 HCS SCS SB 232 - Cooper (158)
- 12 HCS SCS SB 384, E.C. - Daus
- 13 SCS SB 456 - Dempsey
- 14 HCS SCS SB 520 - Hunter
- 15 SB 352 - Ruzicka
- 16 HCS SCS SBs 62 & 41 - Ruestman
- 17 HCS SCS SB 82, (Fiscal Review 4-24-07) - Tilley (90 minute debate on Third Reading)
- 18 HCS SB 593 & SCS SB 594 - May
- 19 SB 648 - Kelly
- 20 HCS SB 666 - Day

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HB 1 - Icet
- 3 SCS HCS HB 2 - Icet
- 4 SCS HCS HB 3 - Icet
- 5 SCS HCS HB 4 - Icet

BILLS IN CONFERENCE

- 1 SS SCS HCS HB 327, E.C. - Richard
- 2 HCS SB 376, as amended, E.C. - Wood
- 3 HCS SB 30, as amended - Stevenson

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

- HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-THIRD DAY, WEDNESDAY, APRIL 25, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

LORD GOD, our Father, You deserve praise forevermore! You are great, mighty, majestic, magnificent, glorious, and sovereign over all the heaven and earth! You are the source of wealth and honor; You reign over all. You possess strength and might and give strength to all. So, unto You, we give thanks.

We are determined to accomplish what we were sent here to do. We understand that in that determination, we will be misunderstood, misjudged, misinterpreted and misquoted. But, with Your help, we refuse to succumb to the temptation of offense, grudges and resentments that become obstacles to finishing our assigned tasks.

Help us to avoid being impetuous, thus, avoiding the problems that steal our time, our thoughts, and our energies.

Now may our Lord Jesus Christ Himself and God our Father, who has loved us and given us eternal comfort and good hope by grace; comfort and strengthen our hearts in every good work and word.

For it's in His name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adrian George, Mara George, Nathen Gober, Emma Gober, Owen Gober, Danielle Hayes, Benton Frala, Trenae Wings, Thomas Shuman, Michael Dunlap, Madyson Stallcup, Nick Bollinger, Rachel Reilly, Emily Wang, Josh Woodyard, Morgan Grotewiel, Jacob Helton and Kathleen Joseph.

The Journal of the sixty-second day was approved as corrected.

Representative Schoeller assumed the Chair.

SPECIAL RECOGNITION

The Belton Pirates Dance Team was introduced by Representative Baker (123) and recognized for attaining the 2007 Class 4A State Championship.

THIRD READING OF SENATE BILL

HCS SCS SB 64, relating to elementary and secondary education, was taken up by Representative Wallace.

Representative Baker (123) offered **House Amendment No. 1.**

Representative Corcoran raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

Representative Schoeller requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Cooper (120) assumed the Chair.

Representative Lampe offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 3, Section 161.375, Line 34, by inserting after all of said line the following:

"161.380. 1. The department of elementary and secondary education shall develop standards for teaching in Missouri public schools no later than June 30, 2008. The standards shall be applicable to all public schools, including public charter schools.

2. Teaching standards shall include, but not be limited to, the following:

(1) Students actively participate and are successful in the learning process;
(2) Various forms of assessment are used to monitor and manage student learning;
(3) The teacher is prepared and knowledgeable of the content and effectively maintains students' on-task behavior;

(4) The teacher uses professional communication and interaction with the school community;
(5) The teacher keeps current on instructional knowledge and seeks and explores changes in teaching behaviors that will improve student performance; and

(6) The teacher acts as a responsible professional in the overall mission of the school.

3. The department may establish guidance for districts to consider in establishing the criteria by which teaching will be evaluated under the teaching standards.

4. In developing such teaching standards and evaluation models, the department shall involve representatives from the state teacher organizations, administration and principal organizations, Missouri advisory council for the certification of educators as created by section 168.015, Missouri staff development council, and colleges and universities."; and

Further amend the title and enacting clause accordingly.

Representative Aull offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 1, Line 7, by deleting the "." on said line and inserting in lieu thereof the following:

'; and

Further amend said bill, Section 168.021, Page 7, Line 42, by inserting after all of said line the following:

"(d) An applicant must meet the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education in order to receive anything other than a two-year non-renewable provisional certificate."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Day	Deeken	Donnelly
Dougherty	El-Amin	Fallert	Fares	Frame
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hubbard	Hughes	Johnson	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	McGhee	Meiners
Nasheed	Nolte	Norr	Oxford	Page
Portwood	Robinson	Roorda	Rucker	Scavuzzo
Schieffer	Schneider	Schoemehl	Shively	Silvey
Skaggs	Smith 150	Spreng	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Walton
Wildberger	Witte	Yaeger	Young	Zimmerman
Zweifel				

NOES: 079

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Dempsey	Denison	Dixon
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Lembke	Lipke
Loehner	Marsh	May	Moore	Munzlinger
Muschany	Nance	Nieves	Onder	Parson
Pearce	Pollock	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schoeller	Self	Smith 14
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Bowman	Brown 30	Bruns	Dethrow	George
Kratky	Meadows	Pratt	Salva	Schamhorst
Schlottach	Stevenson	Wright-Jones		

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Schaaf
Schad	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 014

Bowman	Brown 30	Bruns	Chappelle-Nadal	Flook
Harris 23	Kratky	Meadows	Nolte	Pratt
Sater	Scharnhorst	Sutherland	Mr Speaker	

Representative Lampe moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hubbard	Hughes	Johnson

Komo	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Stream	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

NOES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Brown 30	Bruns	Chappelle-Nadal	Fares
Harris 23	Kratky	Nolte	Pratt	Scharnhorst

HCS SCS SB 64 was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4 and House Amendment No. 5 to SB 233**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 308, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 308, as amended, relating to licensed professionals, was taken up by Representative Wasson.

Representative Wasson moved that the House refuse to recede from its position on **HCS SCS SB 308, as amended**, and grant the Senate a conference.

Which motion was adopted.

SB 233, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4 and House Amendment No. 5, relating to sales tax for Perry County, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4 and House Amendment No. 5 to SB 233** and grant the Senate a conference.

Which motion was adopted.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

Speaker Jetton resumed the Chair.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emily Noonan, Meridith Gibbons, Brooke Cummings, Jennifer Zwiefel, Whitney McGinnis, Jenna Homeyer, Rachal Dugar, Steve Bradley and Damian Booker.

SPECIAL RECOGNITION

John Dillingham of Kansas City was introduced by Representative Nolte and recognized as an Outstanding Missourian.

Representative Pearce assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2635 through House Resolution No. 2695

THIRD READING OF SENATE BILLS

SCS SB 456, relating to payments to school districts, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SCS SB 456** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Bringer	McClanahan	Quinn 9	Shively
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PRESENT: 001

Darrough

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Bruns	Kratky	Pratt
Scharnhorst	Walton			

Representative Pearce declared the bill passed.

HCS SB 81, as amended, relating to tourism and economic development, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS SB 81, as amended**, was adopted.

On motion of Representative Schlottach, **HCS SB 81, as amended**, was read the third time and passed by the following vote:

AYES: 087

Aull	Baker 25	Bearden	Bland	Brandom
Bringer	Cooper 155	Cox	Cunningham 145	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
El-Amin	Emery	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	Guest
Haywood	Hobbs	Hubbard	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Lampe
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Munzlinger	Nance	Nieves
Nolte	Onder	Oxford	Parson	Pearce
Richard	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Yaeger
Young	Mr Speaker			

NOES: 064

Avery	Baker 123	Bivins	Bowman	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 158	Curls
Darrough	Daus	Davis	Day	Donnelly
Dusenberg	Ervin	Flook	George	Grill
Grisamore	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hunter	Johnson	Kraus	Kuessner
Lembke	LeVota	Liese	Lipke	McClanahan
Meadows	Moore	Muschany	Nasheed	Norr
Page	Portwood	Quinn 7	Quinn 9	Robb
Robinson	Roorda	Scavuzzo	Schieffer	Schoemehl
Shively	Silvey	Skaggs	Spreng	Storch

Talboy	Todd	Vogt	Walsh	Whorton
Wright 159	Yates	Zimmerman	Zweifel	

PRESENT: 001

Hughes

ABSENT WITH LEAVE: 011

Brown 30	Bruns	Cooper 120	Corcoran	Cunningham 86
Kratky	Pollock	Pratt	Scharnhorst	Walton
Wasson				

Representative Pearce declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 071

Bearden	Bivins	Brandom	Brown 50	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Darrough
Daus	Deeken	Denison	Dethrow	Dixon
Dougherty	Faith	Fares	Fisher	Franz
Funderburk	Hobbs	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Lampe
Loehner	Marsh	May	McGhee	Meiners
Munzlinger	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Richard	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schlottach	Schoeller	Self	Smith 14	Stevenson
St. Onge	Stream	Thomson	Tilley	Viebrock
Villa	Wallace	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Wright-Jones	Young
Mr Speaker				

NOES: 083

Aull	Avery	Baker 25	Baker 123	Bland
Bowman	Bringer	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Davis	Day	Dempsey
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Fallert	Flook	Frame	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Johnson
Komo	Kraus	Kuessner	LeVota	Liese
Lipke	Low 39	Lowe 44	McClanahan	Meadows
Moore	Muschany	Nasheed	Norr	Oxford
Page	Portwood	Quinn 7	Quinn 9	Robb
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schneider	Schoemehl	Shively	Silvey
Skaggs	Smith 150	Spreng	Storch	Sutherland
Swinger	Talboy	Threlkeld	Todd	Vogt
Walsh	Whorton	Wildberger	Witte	Yaeger
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Bruns	Cunningham 86	Kratky	Lembke
Pratt	Scharnhorst	Walton	Wasson	

Representative Jones (89) assumed the Chair.

THIRD READING OF HOUSE BILL

HB 647, relating to deer hunting, was taken up by Representative Young.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrrough	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 008

Brown 30	Brown 50	Bruns	Pratt	Scharnhorst
Swinger	Walton	Zimmerman		

On motion of Representative Young, **HB 647** was read the third time and passed by the following vote:

AYES: 130

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Rucker	Ruestman	Sander	Sater
Schaaf	Schad	Schneider	Schoeller	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Mr Speaker

NOES: 026

Corcoran	Curls	Darrough	Frame	Harris 23
Harris 110	Liese	Low 39	McClanahan	Meadows
Quinn 9	Robinson	Roorda	Ruzicka	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Spreng
Todd	Whorton	Wildberger	Witte	Yaeger
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Pratt	Scharnhorst	Schlottach
Swinger	Walton			

Representative Jones (89) declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 25, relating to services for children, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 25, Page 1, in the Title, Line 4, by inserting after the word “investigations,” the words “**foster parents’ bill of rights,**”; and

Further amend said bill, Page 7, Section 210.183, by inserting after all of said section the following:

“210.566. 1. (1) The **children's** division [of family services] and its contractors, **recognizing that foster parents are not clients but rather are colleagues in the child welfare team**, shall treat foster parents [with courtesy, respect and consideration] **in a manner consistent with the National Association of Social Workers' ethical standards of conduct as described in its Social Workers' Ethical Responsibilities to Colleagues**. Foster parents shall treat the children in their care, the child's birth family and members of the child welfare team [with courtesy, respect and consideration] **in a manner consistent with their ethical responsibilities as professional team members**.

(2) **The children's division and its contractors shall provide written notification of the rights enumerated in this section at the time of initial licensure and at the time of each licensure renewal following the initial licensure period.**

2. (1) The **children's** division [of family services] and its contractors shall provide foster parents with **regularly scheduled opportunities for preservice training**, [preservice] and **regularly scheduled opportunities for pertinent inservice training, as determined by the Missouri State Foster Care and Adoption Advisory Board**[, and support].

(2) The **children's** division [of family services] and its contractors shall [share] **provide to foster parents and potential adoptive parents, prior to placement**, all pertinent information [about the child and the child's family], including but not limited to[, the case plan with the foster parents to assist in determining if a child would be a proper placement. The **children's** division [of family services] and its contractors shall inform the foster parents of issues relative to the child that may jeopardize the health or safety of the foster family] **full disclosure of all medical, psychological, and psychiatric conditions of the child, as well as information from previous placements that would indicate that the child or children may have a propensity to cause violence to any member of the foster family home. The foster parents must be provided with any information regarding the child or the child's family, inclusive of the case plan, family history of mental or physical illness, sexual abuse or perpetration, criminal background, fire-setting or other destructive behavior, substance abuse, or any other information which is pertinent to the care and needs of the child and to protect the foster or adoptive family. Knowingly providing false or misleading information to foster parents in order to secure placement shall be denoted in the caseworker's personnel file and shall be kept on record by the division.**

(3) The **children's** division [of family services] and its contractors shall arrange preplacement visits, except in emergencies.

(4) The foster parents may ask questions about the child's case plan, encourage a placement or refuse a placement without reprisal from the caseworker or agency. After a placement, the **children's** division [of family services] **and its contractors** shall update the foster parents as new information about the child is gathered.

(5) Foster parents shall be informed **in a timely manner by the children's division and its contractors** of [upcoming] **all team meetings and staffings concerning their licensure status or children placed in their homes**, and shall be allowed to participate, consistent with section 210.761.

(6) The **children's** division [of family services] **and its contractors** shall establish reasonably accessible respite care for children in foster care for short periods of time, jointly determined by foster parents and the child's caseworker pursuant to section 210.545. **Foster parents shall follow all procedures defined by the children's division and its contractors for requesting and using respite care.**

[(2)] (7) Foster parents shall treat all information received from the **children's** division [of family services] **and its contractors** about the child and the child's family as confidential. **Information necessary for the medical or psychiatric care of the child may be provided to the appropriate practitioners. Foster parents may share**

information necessary with school personnel in order to secure a safe and appropriate education for the child. **Additionally, foster parents [may] shall share information they may learn about the child and the child's family, and concerns that arise in the care of the child,** with the caseworker and other members of the child welfare team. Recognizing that placement changes are difficult for children, foster parents shall seek all necessary information, and participate in preplacement visits **whenever possible**, before deciding whether to accept a child for placement. [Foster parents shall follow all procedures defined by the division of family services for requesting and using respite care.]

3. (1) Foster parents shall make decisions about the daily living concerns of the child, and shall be permitted to continue the practice of their own family values and routines while respecting the child's cultural heritage. All discipline shall be consistent with state laws and regulations. The **children's division** [of family services] shall allow foster parents to help plan visitation between the child and the child's **siblings or biological family**. **Visitations should be scheduled at a time that meets the needs of the child, the biological family members, and the foster family whenever possible. Recognizing that visitation with family members is an important right of children in foster care, foster parents shall be flexible and cooperative with regard to family visits.**

(2) Foster parents shall provide care that is respectful of the child's cultural identity and needs. **Recognizing that cultural competence can be learned, the children's division and their contractors shall provide foster parents with training that specifically addresses cultural needs of children, including but not limited to, information on skin and hair care, information on any specific religious or cultural practices of the child's biological family, and referrals to community resources for ongoing education and support.**

(3) Foster parents shall recognize that the purpose of discipline is to teach and direct the behavior of the child, and ensure that it is administered in a humane and sensitive manner. [Recognizing that visitation with family members is an important right, foster parents shall be flexible and cooperative in regard to family visits.] **Foster parents shall use discipline methods which are consistent with children's division policy.**

4. (1) Consistent with state laws and regulations, the [state may] **children's division and its contractors shall** provide, upon request by the foster parents, information about a child's progress after the child leaves foster care.

(2) Except in emergencies, foster parents shall be given **two weeks** advance notice [consistent with division policy,] and a written statement of the reasons before a child is removed from their care. **When requesting removal of a child from their home, foster parents shall give two weeks advance notice, consistent with division policy, to the child's caseworker, except in emergency situations.**

(3) **Recognizing the critical nature of attachment for children**, if a child reenters the foster care system **and cannot be placed in a relative home**, the child's **former** foster parents shall be [considered as a placement option] **given first consideration for placement of the child.**

(4) If a child becomes free for adoption while in foster care, the child's foster family shall be given preferential consideration as adoptive parents consistent with section 453.070, RSMo.

[(2)] (5) [Confidentiality rights of the child and the child's parents shall be respected and maintained. Foster parents shall inform the child's caseworker of their interest if a child reenters the system.] If a foster child becomes free for adoption and the foster parents desire to adopt the child, they shall inform the caseworker [in a timely manner] **within sixty days of the caseworker's initial query**. If they do not choose to pursue adoption, foster parents shall make every effort to support and encourage the child's placement in a permanent home, **including but not limited to providing information on the history and care needs of the child and accommodating transitional visitation**. [When requesting removal of a child from their home, foster parents shall give reasonable advance notice, consistent with division policy, to the child's caseworker, except in emergency situations.]

5. (1) Foster parents shall be informed by the court [in a timely manner] **no later than two weeks prior** of all court hearings pertaining to a child in their care, and informed of their right to attend and participate, consistent with section 211.464, RSMo.

[(2)] (2) Foster parents shall share any concerns regarding the case plan for a child in their care with the child's caseworker, as well as other members of the child welfare team, in a timely manner.]

6. **The children's division and their contractors shall provide access to a fair and impartial grievance process to address licensure, case management decisions, and delivery of service issues.** Foster parents shall have timely access to the child placement agency's appeals process, and shall be free from acts of retaliation when exercising the right to appeal.

7. **The children's division and their contractors shall provide training to foster parents on the policies and procedures governing the licensure of foster homes, the provision of foster care, and the adoption process.** Foster parents shall, **upon request, be provided with written documentation of the policies of the children's division**

and their contractors [know and follow the policies of the division of family services, including the appeals procedure].
Per licensure requirements, foster parents shall comply with the policies of the child placement agency.

8. For purposes of this section, "foster parent" means a resource family providing care of children in state custody."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sander offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1 to House Amendment No. 1 was withdrawn.

Representative Donnelly offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Bill No. 25, Page 4, Line 17, by deleting the words "cannot be" and replacing with "is not".

On motion of Representative Donnelly, **House Amendment No. 2 to House Amendment No. 1** was adopted.

Representative Sander offered **House Amendment No. 3 to House Amendment No. 1.**

House Amendment No. 3
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Bill No. 25, Page 2, Section 210.566, Line 6, by deleting the opening bracket "[" after the word "division"; and

Further amend said amendment, Page 2, Line 7, by deleting the closing bracket "]" after the word "services"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sander, **House Amendment No. 3 to House Amendment No. 1** was adopted.

On motion of Representative Franz, **House Amendment No. 1, as amended**, was adopted.

Representative Baker (123) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 25, Section 210.183, Page 7, by inserting after all of said section the following:

"452.340. 1. In a proceeding for dissolution of marriage, legal separation or child support, the court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable or necessary for the support of the child, including an award retroactive to the date of filing the petition, without regard to marital misconduct, after considering all relevant factors including:

(1) The financial needs and resources of the child;

- (2) The financial resources and needs of the parents;
- (3) The standard of living the child would have enjoyed had the marriage not been dissolved;
- (4) The physical and emotional condition of the child, and the child's educational needs;
- (5) The child's physical and legal custody arrangements, including the amount of time the child spends with each parent and the reasonable expenses associated with the custody or visitation arrangements; and

- (6) The reasonable work-related child care expenses of each parent.

2. The obligation of the parent ordered to make support payments shall abate, in whole or in part, for such periods of time in excess of thirty consecutive days that the other parent has voluntarily relinquished physical custody of a child to the parent ordered to pay child support, notwithstanding any periods of visitation or temporary physical and legal or physical or legal custody pursuant to a judgment of dissolution or legal separation or any modification thereof. In a IV-D case, the **family support** division [of child support enforcement] may determine the amount of the abatement pursuant to this subsection for any child support order and shall record the amount of abatement in the automated child support system record established pursuant to chapter 454, RSMo. If the case is not a IV-D case and upon court order, the circuit clerk shall record the amount of abatement in the automated child support system record established in chapter 454, RSMo.

3. Unless the circumstances of the child manifestly dictate otherwise and the court specifically so provides, the obligation of a parent to make child support payments shall terminate when the child:

- (1) Dies;
- (2) Marries;
- (3) Enters active duty in the military;
- (4) Becomes self-supporting, provided that the custodial parent has relinquished the child from parental control by express or implied consent;
- (5) Reaches age eighteen, unless the provisions of subsection 4 or 5 of this section apply; or
- (6) Reaches age [twenty-two] **twenty-one**, unless the provisions of the child support order specifically extend the parental support order past the child's [twenty-second] **twenty-first** birthday for reasons provided by subsection 4 of this section.

4. If the child is physically or mentally incapacitated from supporting himself and insolvent and unmarried, the court may extend the parental support obligation past the child's eighteenth birthday.

5. If when a child reaches age eighteen, the child is enrolled in and attending a secondary school program of instruction, the parental support obligation shall continue, if the child continues to attend and progresses toward completion of said program, until the child completes such program or reaches age twenty-one, whichever first occurs. If the child is enrolled in an institution of vocational or higher education not later than October first following graduation from a secondary school or completion of a graduation equivalence degree program and so long as the child enrolls for and completes at least twelve hours of credit each semester, not including the summer semester, at an institution of vocational or higher education and achieves grades sufficient to reenroll at such institution, the parental support obligation shall continue until the child completes his or her education, or until the child reaches the age of [twenty-two] **twenty-one**, whichever first occurs. To remain eligible for such continued parental support, at the beginning of each semester the child shall submit to each parent a transcript or similar official document provided by the institution of vocational or higher education which includes the courses the child is enrolled in and has completed for each term, the grades and credits received for each such course, and an official document from the institution listing the courses which the child is enrolled in for the upcoming term and the number of credits for each such course. **When enrolled in at least twelve credit hours, if the child receives two failing grades in any one semester, payment of child support may be terminated and shall not be eligible for reinstatement. If the child fails to produce the required documents, payment of child support may terminate without the accrual of any child support arrearage and shall not be eligible for reinstatement.** If the circumstances of the child manifestly dictate, the court may waive the October first deadline for enrollment required by this subsection. [If the child has pursued a path of continuous attendance and has demonstrated evidence of a plan to continue to do so, the court may enter a judgment abating support for a period of up to five months for any semester in which the child completes at least six but less than twelve credit hours; however, such five-month period of abatement shall only be granted one time for each child.] If the child is enrolled in such an institution, the child or parent obligated to pay support may petition the court to amend the order to direct the obligated parent to make the payments directly to the child. As used in this section, an "institution of vocational education" means any postsecondary training or schooling for which the student is assessed a fee and attends classes regularly. "Higher education" means any junior college, community college, college, or university at which the child attends classes regularly. A child who has been diagnosed with a [learning] **developmental** disability, as defined in section 630.005,

RSMo, or whose physical disability or diagnosed health problem limits the child's ability to carry the number of credit hours prescribed in this subsection, shall remain eligible for child support so long as such child is enrolled in and attending an institution of vocational or higher education, and the child continues to meet the other requirements of this subsection. **However, a parent who has a child diagnosed after age eighteen with a developmental or physical disability or diagnosed health care problem shall not be required to pay support after age twenty-one. Diagnosis prior to or after age eighteen shall be completed by two licensed physicians, one selected by each parent. Both physicians shall be in agreement for the diagnosis to be considered in the child support case. If a diagnosis of a developmental or physical disability or health care problem occurs prior to the dissolution of the marriage between a child's parents, then the original diagnosis made by a licensed physician prior to the dissolution of marriage will be sufficient for the diagnosis to be considered in the child support case.** A child who is employed at least fifteen hours per week during the semester may take as few as nine credit hours per semester and remain eligible for child support so long as all other requirements of this subsection are complied with.

6. The court shall consider ordering a parent to waive the right to claim the tax dependency exemption for a child enrolled in an institution of vocational or higher education in favor of the other parent if the application of state and federal tax laws and eligibility for financial aid will make an award of the exemption to the other parent appropriate.

7. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child except for cases where the court specifically finds that such contact is not in the best interest of the child. In order to effectuate this public policy, a court with jurisdiction shall enforce visitation, custody and child support orders in the same manner. A court with jurisdiction may abate, in whole or in part, any past or future obligation of support and may transfer the physical and legal or physical or legal custody of one or more children if it finds that a parent has, without good cause, failed to provide visitation or physical and legal or physical or legal custody to the other parent pursuant to the terms of a judgment of dissolution, legal separation or modifications thereof. The court shall also award, if requested and for good cause shown, reasonable expenses, attorney's fees and court costs incurred by the prevailing party.

8. The Missouri supreme court shall have in effect a rule establishing guidelines by which any award of child support shall be made in any judicial or administrative proceeding. Said guidelines shall contain specific, descriptive and numeric criteria which will result in a computation of the support obligation. The guidelines shall address how the amount of child support shall be calculated when an award of joint physical custody results in the child or children spending substantially equal time with both parents. [Not later than October 1, 1998,] The Missouri supreme court shall publish child support guidelines and specifically list and explain the relevant factors and assumptions that were used to calculate the child support guidelines. Any rule made pursuant to this subsection shall be reviewed by the promulgating body not less than once every four years to ensure that its application results in the determination of appropriate child support award amounts.

9. There shall be a rebuttable presumption, in any judicial or administrative proceeding for the award of child support, that the amount of the award which would result from the application of the guidelines established pursuant to subsection 8 of this section is the correct amount of child support to be awarded. A written finding or specific finding on the record in a judicial or administrative proceeding that the application of the guidelines would be unjust or inappropriate in a particular case, after considering all relevant factors, including the factors set out in subsection 1 of this section, is required if requested by a party and shall be sufficient to rebut the presumption in the case. The written finding or specific finding on the record shall detail the specific relevant factors that required a deviation from the application of the guidelines.

10. Pursuant to this or any other chapter, when a court determines the amount owed by a parent for support provided to a child by another person, other than a parent, prior to the date of filing of a petition requesting support, or when the director of the **family support** division [of child support enforcement] establishes the amount of state debt due pursuant to subdivision (2) of subsection 1 of section 454.465, RSMo, the court or director shall use the guidelines established pursuant to subsection 8 of this section. The amount of child support resulting from the application of the guidelines shall be applied retroactively for a period prior to the establishment of a support order and the length of the period of retroactivity shall be left to the discretion of the court or director. There shall be a rebuttable presumption that the amount resulting from application of the guidelines under subsection 8 of this section constitutes the amount owed by the parent for the period prior to the date of the filing of the petition for support or the period for which state debt is being established. In applying the guidelines to determine a retroactive support amount, when information as to average monthly income is available, the court or director may use the average monthly income of the noncustodial parent, as averaged over the period of retroactivity, in determining the amount of presumed child support owed for the period of

retroactivity. The court or director may enter a different amount in a particular case upon finding, after consideration of all relevant factors, including the factors set out in subsection 1 of this section, that there is sufficient cause to rebut the presumed amount.

11. The obligation of a parent to make child support payments may be terminated as follows:

(1) Provided that the child support order contains the child's date of birth, the obligation shall be deemed terminated without further judicial or administrative process when the child reaches age [twenty-two] **twenty-one** if the child support order does not specifically require payment of child support beyond age [twenty-two] **twenty-one** for reasons provided by subsection 4 of this section;

(2) The obligation shall be deemed terminated without further judicial or administrative process when the parent receiving child support furnishes a sworn statement or affidavit notifying the obligor parent of the child's emancipation in accordance with the requirements of subsection 4 of section 452.370, and a copy of such sworn statement or affidavit is filed with the court which entered the order establishing the child support obligation, or the division of child support enforcement;

(3) The obligation shall be deemed terminated without further judicial or administrative process when the parent paying child support files a sworn statement or affidavit with the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], stating that the child is emancipated and reciting the factual basis for such statement; which statement or affidavit is served by the court or division on the child support obligee; and which is either acknowledged and affirmed by the child support obligee in writing, or which is not responded to in writing within thirty days of receipt by the child support obligee;

(4) The obligation shall be terminated as provided by this subdivision by the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], when the parent paying child support files a sworn statement or affidavit with the court which entered the order establishing the child support obligation, or the **family support** division [of child support enforcement], stating that the child is emancipated and reciting the factual basis for such statement; and which statement or affidavit is served by the court or division on the child support obligee. If the obligee denies the statement or affidavit, the court or division shall thereupon treat the sworn statement or affidavit as a motion to modify the support obligation pursuant to section 452.370 or section 454.496, RSMo, and shall proceed to hear and adjudicate such motion as provided by law; provided that the court may require the payment of a deposit as security for court costs and any accrued court costs, as provided by law, in relation to such motion to modify.

12. The court may enter a judgment terminating child support pursuant to subdivisions (1) to (3) of subsection 11 of this section without necessity of a court appearance by either party. The clerk of the court shall mail a copy of a judgment terminating child support entered pursuant to subsection 11 of this section on both the obligor and obligee parents. The supreme court may promulgate uniform forms for sworn statements and affidavits to terminate orders of child support obligations for use pursuant to subsection 11 of this section and subsection 4 of section 452.370."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

HCS SB 25, as amended, with House Amendment No. 2, pending, was laid over.

HCS SCS SB 64, relating to elementary and secondary education, was again taken up by Representative Wallace.

Representative Haywood offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 2, Section 160.041, Line 13, by adding after all of said line the following:

"160.053. 1. If a school district maintains a kindergarten program, a child is eligible for admission to kindergarten and to the summer school session immediately preceding kindergarten, if offered, if the child reaches the age of five before the first day of August of the school year beginning in that calendar year. A child is eligible for admission to first grade if the child reaches the age of six before the first day of August of the school year beginning in that calendar year. **The parent or guardian of a child born on August first through October thirty-first may request the district to test the child for school readiness under subsection 5 of this section.**

2. Any kindergarten or grade one pupil beginning the school term and any pupil beginning summer school prior to a kindergarten school term in a metropolitan school district or an urban school district containing the greater part of the population of a city which has more than three hundred thousand inhabitants pursuant to section 160.054 or 160.055 and subsequently transferring to another school district in this state in which the child's birth date would preclude such child's eligibility for entrance shall be deemed eligible for attendance and shall not be required to meet the minimum age requirements. The receiving school district shall receive state aid for the child, notwithstanding the provisions of section 160.051.

3. Any child who completes the kindergarten year shall not be required to meet the age requirements of a district for entrance into grade one.

4. The provisions of this section relating to kindergarten instruction and state aid therefor, shall not apply during any particular school year to those districts which do not provide kindergarten classes that year.

5. The department of elementary and secondary education shall develop a list of approved assessments to determine a child's cognitive and social readiness to begin kindergarten and first grade. When the parent or guardian of any child born on August first through October thirty-first requests the district to test the child for school readiness, if the child achieves a score that district policy has determined to be at or above the minimum needed for school readiness for kindergarten or first grade, as applicable, the child shall be admitted."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haywood, **House Amendment No. 3** was adopted.

Representative Muschany offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Pages 3 and 4, Section 167.128, Lines 30 to 33, by deleting all of such lines and inserting in lieu thereof the following:

"(b) Be reimbursed through the local school district for the full cost of education services provided to children placed in their care by the department of social services as allowed by law in accordance with the availability of funds from such sources as basic state aid, local district bill-back, and excess cost reimbursement, as well as other possible sources. The local school district shall make all needed requests and applications for such reimbursement."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Robb offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Pages 3 to 5, Section 167.128, Lines 1 to 101, by deleting after all of said lines and inserting in lieu thereof the following:

"167.128. 1. The educational needs of each child under the jurisdiction of the juvenile court or family court under subdivisions (1), (2), or (5) of subsection 1 of section 211.031, RSMo, shall be considered as part of the function of the child's family support team pursuant to policy of the department of social services. Such needs shall include, but not be limited to, the assumption that regular full school days of education are warranted. For the purposes of this section, "full school day" shall mean six hours in which the child is under the guidance and direction of teachers in the education process. The local school district shall be invited to have representation on the child's family support team. If the school district designates a representative, the representative shall be a full participant in the family support team.

2. Nothing in this section shall be construed to infringe upon the rights or due process provisions of the federal Individuals with Disabilities Education Act. Nothing in this section shall be construed to impede the ability of the family support team or the facility staff from making a referral for special education services, if appropriate, when a child is placed in a facility described in this section without an individualized education program or without a pending referral for such services. If a child is referred for such services, the provisions of the Individuals with Disabilities Education Act shall apply and control while the referral is pending and through the evaluation process, including provisions for educational decision-makers and educational surrogates. Nothing in this section shall be construed to deny any child domiciled in Missouri appropriate and necessary free public education services.

3. When the department of social services by contract places a child for treatment in a licensed residential care facility setting for children as defined in section 210.481, RSMo, such facility shall be responsible for the educational needs of the child if the child at the time of placement does not have an individualized education program or a pending referral for special education services under sections 162.670 to 162.999, RSMo.

(1) Such facilities operating an on-site school for which they hire their own education staff shall:

(a) Provide, on site at such facility , a full school day of education for each child placed in such facility by the department of social services unless the child's plan of treatment and care supports his or her ability to attend public school; and

(b) Be reimbursed by the local school district for the cost of education services provided to children placed in their care by the department of social services, as approved by the department of elementary and secondary education, when the facility provides education services. The local school district shall be compensated under section 167.126 for such education services.

No child placed in the facilities for treatment described in this subdivision shall be considered by the local school district as homebound for purposes of education unless the family support team under subsection 1 of this section has approved homebound instruction. A full school day of education shall be provided unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section. Nothing in this subsection shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

(2) When such facilities have on-site classrooms but do not hire their own education staff, the local school district:

(a) Shall provide, on site at such facility or at an alternative location agreed upon pursuant to subsection 6 of this section, a full school day of education for each child placed in such facility for care by the department of social services unless the child's plan of treatment and care supports his or her ability to attend public school;

(b) Shall be compensated under section 167.126 for such education services as approved by the department of elementary and secondary education; and

(c) May consider such education services as homebound instruction but shall provide each homebound child with a full school day of education unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section.

Nothing in this subdivision shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

(3) When such facilities do not operate an on-site school or have on-site classrooms, the local school district shall:

(a) Provide a full school day of education for each child placed in such facility for care by the department of social services; and

(b) Be compensated for such education services under section 167.126, as approved by the department of elementary and secondary education.

If the child's behavior or plan of treatment and care does not support the child's being educated in a regular education class, education services shall be provided in an alternative setting approved by the family support team under subsection 1 of this section. A full school day of education shall be provided unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section. Nothing in this subdivision shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

4. Notwithstanding any other provision of law, a child placed for treatment by the department of social services in a licensed residential care facility setting for children as defined in section 210.481, RSMo, who does not have an individualized education program for special education services or a pending referral for such services under sections 162.670 to 162.999, RSMo, whose plan of treatment and care supports his or her ability to attend public school but who is then suspended or otherwise demonstrates school failure based on behavior or academic performance shall then be provided a full school day of education according to subsection 3 of this section.

5. Nothing in this section shall prevent a licensed residential care facility setting for children as defined in section 210.481, RSMo, from contracting with school districts for education services. Nothing in this section shall prevent a school district from contracting with a licensed residential care facility setting for children as defined in section 210.481, RSMo, for education services.

6. (1) Any residential treatment facility public school district shall work with the district and develop an educational plan that describes in general how and where educational services will be provided to school-aged residents of the treatment facility under a variety of possible circumstances. The educational plan shall be developed jointly by the appropriate staff of both the treatment facility and the public school district, and the plan shall be signed annually by the administration of both parties verifying their support for the plan.

(2) It is the intent that the educational plan follow the provisions of this section, but treatment facilities and school districts may develop provisions for educational services not included in this section if both parties agree on the provisions and if the provisions offer a full-day educational program for the students involved.

(3) It is understood as a condition of the plan that both the treatment facility and school district shall be fully reimbursed, as allowed by law in accordance with the availability of funds, for their portions of the cost of providing educational services through such sources as basic state aid, local district bill-back, and excess cost reimbursement, as well as other possible sources and that a school district shall not be required to provide more total reimbursement to a treatment facility than it receives from all such sources. The local school district shall make all needed requests and applications for such reimbursement.

(4) Each treatment facility and school district shall furnish a signed copy of their educational plan to the department of elementary and secondary education and to the department of social services no later than June 1 of each year.

(5) If the treatment facility and the school district cannot reach an agreement on the education plan under this subsection, the differences shall be resolved by an arbitration panel made up of one representative from the department of elementary and secondary education, one representative from the children's division of the department of social services, and one person appointed by the governor every three years, with the advice and consent of the senate, serving at the pleasure of the governor. A final decision shall be made by August 15. Costs for the arbitration panel shall be shared equally by the treatment facility and the school district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Baker (123) offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Substitute Amendment No. 1 for House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 1, Line 1 of said amendment, by inserting immediately before said line the following:

'AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 3, Section 161.375, Line 34, by inserting of the following:

"167.121. **1.** If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his designee may assign the pupil to another district. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or a district that has scored unaccredited on two consecutive annual performance reports or provisionally accredited in two consecutive annual performance reports may enroll the parent's or guardian's child in the Missouri virtual school created in section 161.670, RSMo.

(2) A pupil's residence, for purposes of this section, means residency established under section 167.020, RSMo. Except for students residing in a K-8 district attending high school in a district under section 167.131, RSMo, the board of the home district shall pay to the virtual school the amount required under section 161.670, RSMo.

(3) Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce

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Pollock	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

Speaker Jetton resumed the Chair.

On motion of Representative Baker (123), **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater

Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

On motion of Representative Robb, **House Substitute Amendment No. 1 for House Amendment No. 4, as amended**, was adopted.

Representative Holsman offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 6, Section 168.021, Line 27, by inserting after the word "by" the following:

"a teacher accrediting entity approved by the state board of education such as"; and

Further amend Line 33, by striking the word **"ABCTE"**.

Representative McClanahan offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, Page 6, Section 168.021, Line 27, by inserting immediately after the acronym **"(ABCTE)"** the following:

"and in addition, upon specific approval by the state board of education of such entities, other teacher-accrediting entities"; and

Further amend said bill, section and page, Line 33, by deleting the acronym "**ABCTE**" and inserting in lieu thereof the following:

"nontraditional"; and

Further amend said bill and section, Page 9, Line 112, by deleting the acronym "**ABCTE**" and inserting in lieu thereof the following:

"nontraditional"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McClanahan, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Todd	Villa	Vogt

Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

On motion of Representative Wallace, **HCS SCS SB 64, as amended**, was adopted.

On motion of Representative Wallace, **HCS SCS SB 64, as amended**, was read the third time and passed by the following vote:

AYES: 094

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Haywood
Hobbs	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kratky
Kraus	Lembke	Lipke	Loehner	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Nasheed	Norr	Oxford	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

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ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

Speaker Jetton declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 043

Bearden	Brandom	Cooper 120	Cunningham 145	Cunningham 86
Dempsey	Denison	Dixon	Emery	Faith
Fisher	Funderburk	Haywood	Hubbard	Icet
Jones 89	Jones 117	Lembke	Muschany	Nolte
Onder	Pollock	Portwood	Richard	Ruestman
Ruzicka	Sander	Schaaf	Schlottach	Silvey
Thomson	Threlkeld	Tilley	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Young	Mr Speaker		

NOES: 108

Aull	Baker 25	Baker 123	Bivins	Bland
Bringer	Brown 50	Burnett	Casey	Cooper 155
Cooper 158	Corcoran	Cox	Curls	Darrough
Daus	Davis	Day	Deeken	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Fallert	Fares	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hughes
Hunter	Johnson	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Norr	Oxford	Page	Parson	Pearce
Quinn 7	Quinn 9	Robb	Robinson	Roorda
Rucker	Salva	Sater	Scavuzzo	Schad
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Talboy
Todd	Villa	Vogt	Wallace	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bowman	Brown 30	Bruns	Chappelle-Nadal
Hoskins	Marsh	Pratt	Scharnhorst	St. Onge
Swinger	Walton			

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 429 - Crime Prevention and Public Safety

SS SCS SB 616 - Local Government

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Vice-Chairman Cox reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HCR 45**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 45

WHEREAS, Missouri Sheriff's Offices throughout the State play a vital role in the safety and security of the citizens of this State; and

WHEREAS, it has been the Missouri sheriffs and their deputies who have pursued criminals in this State from Jesse James to Michael Devlin; and

WHEREAS, it is the Missouri sheriffs and their deputies who battle on the frontline of the war on methamphetamine in this State on a daily basis; and

WHEREAS, without the Office of Sheriff, the Judicial System of this great State would cease to function. The Sheriffs of Missouri guarantee the constitutional right of access to the Judicial Court System and the continuance of the Courts by serving criminal and civil processes; and

WHEREAS, the Office of Sheriff has the specific duty to assemble the court and its jury and provide protection for the judges, jurors, attorneys, witnesses, defendants, and all public in attendance of the courts; and

WHEREAS, the office of sheriff, established in Chapter 57 of the Revised Statutes of Missouri and Article V of the Missouri Constitution, has existed in English Common Law for 1,000 years dating back to the 11th Century when William the Conqueror defeated the Angle-Saxons and instituted his own Norman government in England; and

WHEREAS, both under the Anglo-Saxons and the Normans, the King of England appointed a representative called a "reeve" to act on behalf of the King in each shire or county. The "shire reeve" or King's representative in each county became the "sheriff" as the English language evolved over the years; and

WHEREAS, the shire reeve or sheriff was the chief law enforcement officer of each county in the year 1000 A.D. and still has the same function in the State of Missouri in the 21st Century;

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize the vital role that the Missouri Sheriff's Offices play in the safety and security of this State today as well as the historical importance that they have played in Missouri history; and

BE IT FURTHER RESOLVED that the Office of Sheriff should exist in perpetuity in every county in Missouri and the City of St. Louis, and no person should sully the long and great contributions that sheriffs have delivered to this State, often at the peril of their own lives or safety.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 47**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 369** and **SB 550**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 22**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **SB 315**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **SS SB 417**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Government Affairs, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SCS SB 497**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 38**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 833**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1023**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 52**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 150 minutes for debate on Third Reading, evenly divided**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 164 with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 418**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 498**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 509**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 513**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 525**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, and Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 17, Section 11.400, Line 3 of said page, by inserting immediately after the word "services." the following:

"The appropriations within this section shall not be used for the salary of the deputy division director of Medical Services - Clinical Services Unit and any expense and equipment costs associated with this position."; and

Further amend said bill, same page and section, Line 7, by deleting the number "4,398,530" and inserting in lieu thereof the following number:

"4,319,906"; and

Further amend said bill, same page and section, Line 8, by deleting the number "9,205,463" and inserting in lieu thereof the following number:

"9,126,839"; and

Further amend said bill, same page and section, Line 15, by deleting the number "263.11" and inserting in lieu thereof the following number:

"262.11"; and

Further amend said line, by deleting the number "15,672,140" and inserting in lieu thereof the following number:

"15,514,892"; and

Further amend said bill, Page 17, Line 15, by inserting immediately said line, the following new section:

“Section 11.402. To the Department of Social Services

For the Division of Medical Services

For the purpose of funding the salary of the deputy division director of Medical Services -

Clinical Services Unit

From the General Revenue Fund \$39,312

From Federal Funds \$39,312

For the purpose of funding informational meetings and any costs associated with such meetings, provided that at least one meeting shall be conducted in each congressional district throughout the state, with eligible MO HealthNet participants. Such meetings shall be conducted by the deputy division director of Medical Services - Clinical Services Unit

From General Revenue Fund \$ 5,000

From Federal Funds \$ 5,000

Total (Not to exceed 0.5 FTE) \$78,624”; and

Further amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2007 and ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 30, as amended**: Senators Nodler, Mayer, Griesheimer, McKenna and Shoemyer.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#6 SCS SB 389**, entitled:

An act to repeal sections 160.254, 173.005, 173.200, 173.203, 173.205, 173.210, 173.215, 173.220, 173.225, 173.230, 173.250, 173.355, 173.360, 173.385, 173.425, 173.616, 173.810, 173.813, 173.816, 173.820, 173.825, 173.827, 173.830, and 313.835, RSMo, and to enact in lieu thereof thirty-one new sections relating to higher education, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 26, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-second Day, Tuesday, April 24, 2007, Page 1286, Line 6, by deleting the numeral "103" and inserting in lieu thereof the numeral "101".

Line 8, by deleting the numeral "105" and inserting in lieu thereof the numeral "103".

Line 13, by deleting the numeral "115" and inserting in lieu thereof the numeral "114".

Page 1294, Line 27, by deleting the numeral "67.997" and inserting in lieu thereof the numeral "67.1003".

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SS SCS SB 428

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 3.

Review of DNR performance measures.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, April 26, 2007, 8:15 a.m. Hearing Room 5.

Informational presentation from: Missouri Vocational Enterprise,

The Inmate Health/Mental Health Contracts, Probation and Parole Intervention Fee.

Executive session may follow.

CONFERENCE COMMITTEE NOTICE

Thursday, April 26, 2007, Bingham Conference Room, Noon or upon adjournment.

Public hearing to be held on: HCS SB 376

CONFERENCE COMMITTEE NOTICE

Tuesday, May 1, 2007, Hearing Room 3, upon afternoon recess or 12:00 p.m. AMENDED

Public hearing to be held on: SS SCS HCS HB 327

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 26, 2007, 8:00 a.m. Hearing Room 1. CANCELLED

FISCAL REVIEW

Thursday, April 26, 2007, 9:30 a.m. Hearing Room 4.

Committee will consider bills in Fiscal Review.

HEALTH CARE POLICY

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: SCS SB 4

LOCAL GOVERNMENT

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 701, SB 130, SCS SB 299, SB 334, SB 345, SB 510, SS SCS SB 21

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, April 26, 2007, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SS SB 31, SCS SB 313, SCS SB 482

SPECIAL COMMITTEE ON URBAN EDUCATION REFORM

Thursday, April 26, 2007, 9:30 a.m. House Chamber north gallery.

Executive session will be held on: HB 1272

WAYS AND MEANS

Thursday, April 26, 2007, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearing to be held on: SCS SB 86

HOUSE CALENDAR

SIXTY-FOURTH DAY, THURSDAY, APRIL 26, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)

- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821 - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HB 758 - Brown (50)
- 59 HCS HB 425 - Pearce
- 60 HCS HB 429 - Jones (117)
- 61 HCS HB 716 - Davis
- 62 HCS HB 95 - Sater
- 63 HB 479 - Darrough

- 64 HB 733 - Page
- 65 HCS HB 769 - Bruns
- 66 HCS HB 802 - Page
- 67 HB 1155 - Wright-Jones
- 68 HCS HB 442 - Kingery
- 69 HB 727 - Portwood
- 70 HB 888 - Grisamore
- 71 HCS HB 923 - Kratky
- 72 HB 1251 - Komo

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILL FOR SECOND READING

SS#6 SCS SB 389

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)
- 4 HCS SB 166 - Wood
- 5 SB 172 - Flook
- 6 HCS SB 270 - Jones (117)
- 7 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 8 SB 298 - Schaaf
- 9 SCS SB 397 - Schaaf
- 10 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS#2 SB 406 - Wallace
- 2 HCS SB 416 - Pratt
- 3 SCS SB 302 - Pratt
- 4 HCS SB 25, as amended, HA 2, pending - Franz
- 5 SCS SB 46 - Grisamore
- 6 HCS SB 84 - Franz
- 7 SCS SB 91 - St. Onge
- 8 SB 135 - Kingery
- 9 HCS SCS SB 232 - Cooper (158)
- 10 HCS SCS SB 384, E.C. - Daus
- 11 HCS SCS SB 520 - Hunter
- 12 SB 352 - Ruzicka
- 13 HCS SCS SBs 62 & 41 - Ruestman
- 14 HCS SCS SB 82, (Fiscal Review 4-24-07) - Tilley (90 minute debate on Third Reading)
- 15 HCS SB 593 & SCS SB 594 - May
- 16 SB 648 - Kelly
- 17 HCS SB 666 - Grill

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HB 1 - Icet
- 3 SCS HCS HB 2 - Icet
- 4 SCS HCS HB 3 - Icet
- 5 SCS HCS HB 4 - Icet
- 6 SCS HCS HB 5 - Icet
- 7 SCS HCS HB 6 - Icet
- 8 SCS HCS HB 7 - Icet
- 9 SCS HCS HB 8 - Icet
- 10 SCS HCS HB 9 - Icet
- 11 SCS HCS HB 10 - Icet
- 12 SCS HCS HB 11, as amended - Icet
- 13 SCS HCS HB 12 - Icet
- 14 SCS HCS HB 13 - Icet

BILLS IN CONFERENCE

- 1 SS SCS HCS HB 327, E.C. - Richard
- 2 HCS SB 376, as amended, E.C. - Wood
- 3 HCS SB 30, as amended - Stevenson
- 4 HCS SCS SB 308, as amended - Wasson
- 5 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

- HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-FOURTH DAY, THURSDAY, APRIL 26, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

In view of the decisions being made in our Nation's Capitol about the war in Iraq.

Let us pray.

God our Father, all earthly powers must serve You. Look upon our President and the members of Congress, and help them fulfill their responsibilities worthily and well. Fill them with the spirit of Your wisdom. May they always act in accordance with Your will, and may their decisions be for the peace and well-being of all people.

May these same blessings come upon us that we serve You worthily through our service of the people of this State.

We pray to You in our need always, for You are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kael Rademan, Erica Chitwood, Kendall Loyd, Julia Dowd, Michael Steele, Katie Chudy, David Winstein-Hibbs, Cody Pinkner, Maddy Zuke, Mavis Coffman, Luke Downham, Bailey Chadduck, Andrea Robin, David Vence, Tyler Lewis, Blake Buchanan, Jared Samson, Christopher Gates, Ryan Ochs, Adam Harkins, John Paul Harkins, Josh Bailey, Schyler Tate, Chris Littrell, Joe Mazzeffe and Matt McKnight.

The Journal of the sixty-third day was approved as corrected by the following vote:

AYES: 133

Aull	Baker 123	Bearden	Bland	Brandom
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Jones 89	Jones 117
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meiners

Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 014

Baker 25	Daus	Donnelly	Flook	George
Harris 23	Johnson	LeVota	Low 39	Lowe 44
Oxford	Schieffer	Talboy	Vogt	

PRESENT: 002

Darrough	Spreng
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ABSENT WITH LEAVE: 014

Avery	Bivins	Bowman	Brown 30	Bruns
Haywood	Hunter	Kelly	Meadows	Pratt
Scharnhorst	Schneider	Stevenson	Wells	

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2696 through House Resolution No. 2749

SECOND READING OF SENATE BILL

SS#6 SCS SB 389 was read the second time.

THIRD READING OF SENATE BILL

HCS#2 SB 406, relating to employee benefit plans, was taken up by Representative Wallace.

Representative Cooper (120) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 3, Section 103.085, Line 28, by inserting after said line the following:

"103.080. 1. As used in this section, the following terms shall mean:

(1) "Health savings account" or "account", shall have the same meaning ascribed to it as in 26 U.S.C. Section 223(d), as amended;

(2) "High deductible health plan", a policy or contract of health insurance or health care plan that meets the criteria established in 26 U.S.C. Section 223(c)(2), as amended, and any regulations promulgated thereunder.

2. Beginning with the open enrollment period for the 2008 plan year, the board shall offer to all qualified employees the option of receiving health care coverage through a high deductible health plan and the establishment of a health savings account. In order for a qualified individual to obtain a high deductible health plan through the Missouri consolidated health care plan, such individual shall present evidence, in a manner prescribed by regulation, to the board that he or she has established a health savings account in compliance with 26 U.S.C. Section 223, and any amendments and regulations promulgated thereto.

3. The board is authorized to promulgate rules and regulations for the administration and implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

4. The board shall issue a request for proposals from insurance carriers interested in offering a high deductible health plan in connection with a health savings account."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richard assumed the Chair.

Representative Pearce assumed the Chair.

Representative Portwood offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute No. 2 for Senate Bill No. 406, Page 1, Line 8, by inserting after the word "**thereunder**" on said line the following:

"**; provided that the deductible is not greater than one thousand dollars**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richard resumed the Chair.

HCS#2 SB 406, with House Amendment No. 1 to House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HB 1** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 3, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 3** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 4, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 4** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Pearce resumed the Chair.

SCS HCS HB 5, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 5** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 6, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 6** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 5 - Special Committee on Veterans

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 156 - Fiscal Review (Fiscal Note)

SCS SB 418 - Fiscal Review (Fiscal Note)

SS SB 40 - Special Committee on Utilities

SCS SB 75 - Special Committee on Veterans

SS#2 SCS SB 204 - Special Committee on Agri-Business

SCS SB 226 - Transportation

SCS SB 235 - Special Committee on State Parks and Waterways

SS SB 358 - Transportation
SCS SB 368 - Judiciary
SS#6 SCS SB 389 - Higher Education
SS SCS SB 496 - Health Care Policy
SB 559 - Local Government
SS SB 654 - Special Committee on Urban Issues
SCS SB 664 - Special Committee on Professional Registration and Licensing
SS SCS SB 668 - Special Committee on Health Insurance

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 4**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 333**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **SCS SB 328**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Education Reform, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 1272**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 86**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SBs 199 & 207**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 582**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SRB 613**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 62**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 268**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 405**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 459**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 732**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 754**.

COMMUNICATION

April 25, 2007

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives

Dear Mr. Crumbliss:

The Committee on Budget has adopted the attached motion under Section 33.282, RSMo, and request that it be printed in the Journal of the House.

Sincerely,

/s/ Allen Icet
State Representative
District 84

MOTION OF APPROVAL PURSUANT TO SECTION 33.282, RSMo.

Having reviewed the estimates of new tax credits for Fiscal Year 2008 submitted to the Chairman of the House Budget Committee by the Budget Director to Section 33.282, RSMo, the Committee on Budget, under the authority of Section 33.282, hereby approves those estimated new tax credits for any tax year beginning after July 1, 2007 and before June 30, 2008, and directs the Chairman of the Committee to report adoption of this Motion to the Chief Clerk of the House and request that the Motion be printed in the Journal of the House.

The following members' presence was noted: Hunter and Stevenson.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 2:00 p.m., Monday April 30, 2007.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixty-third Day, Wednesday, April 25, 2007, Page 1351, Line 15, by deleting the numeral "\$78,624" and inserting in lieu thereof the numeral "\$88,624".

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 3.

Review of Department of Natural Resources performance measures.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 1, 2007, Hearing Room 3 upon afternoon recess or 12:00 p.m. AMENDED

Public hearing to be held on: SS SCS HCS HB 327

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, May 1, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SS SCS SB 429

HEALTH CARE POLICY

Tuesday, May 1, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: SS SCS SB 85, SCS SB 530

JUDICIARY

Tuesday, May 1, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SCS SB 368, SB 516

LOCAL GOVERNMENT

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 701, SB 130, SCS SB 299, SB 334, SB 345, SB 510, SS SCS SB 21

RULES - PURSUANT TO RULE 25(21)(f)

Monday, April 30, 2007, Hearing Room 5 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HCS HCR 45, HCR 44, HJR 11, HCS HB 1272, HCS HB 869, HB 1052, HCS SS SCS SB 22, HCS SS SCS SBs 255, 249 & 279, HCS SB 325, HCS SCS SB 54, HCS SCS SB 369 & SB 550, HCS SCS SB 497, SS SB 417, HCS SB 315, HCS SB 419, SB 171, SCS SB 309, SB 433, SB 162, SCS SB 4, SCS SB 137, HCS SCS SB 86, HCS SB 582

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SS#2 SCS SB 204

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, May 1, 2007, 1:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 968

TRANSPORTATION

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SS SB 358, SCS SB 226

HOUSE CALENDAR

SIXTY-FIFTH DAY, MONDAY, APRIL 30, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow

32 HCS HB 490 - Baker (123)
33 HCS HB 508 - Schaaf
34 HCS HB 709 - Dethrow
35 HB 821 - Onder
36 HCS HB 995 - Hobbs
37 HCS#2 HB 85 - Kraus
38 HCS HB 399 - Walton
39 HCS HB 624 - Wilson (119)
40 HCS#2 HB 752 - Sutherland
41 HCS HB 1000 - Storch
42 HCS HB 1044 - Deeken
43 HCS HB 244 - Wells
44 HCS HB 587 - Tilley
45 HCS HB 628 - Loehner
46 HCS HB 629 - Hunter
47 HCS HB 872 - Cooper (158)
48 HCS HB 913 - Cooper (120)
49 HB 932 - Grill
50 HCS HB 1089 - Stevenson
51 HCS HB 347 - Munzlinger
52 HB 439 - Hunter
53 HCS HB 630 - Schlottach
54 HB 646 - Young
55 HCS HB 919 - Schneider
56 HCS HB 944 - Cooper (120)
57 HCS HB 1264 - Page
58 HB 758 - Brown (50)
59 HCS HB 425 - Pearce
60 HCS HB 429 - Jones (117)
61 HCS HB 716 - Davis
62 HCS HB 95 - Sater
63 HB 479 - Darrough
64 HB 733 - Page
65 HCS HB 769 - Bruns
66 HCS HB 802 - Page
67 HB 1155 - Wright-Jones
68 HCS HB 442 - Kingery
69 HB 727 - Portwood
70 HB 888 - Grisamore
71 HCS HB 923 - Kratky
72 HB 1251 - Komo
73 HCS HB 331 - Lipke
74 HCS#2 HB 735 - Cooper (158)
75 HCS HB 833 - Wasson
76 HB 1104 - Hughes

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)
- 4 HCS SB 166 - Wood
- 5 SB 172 - Flook
- 6 HCS SB 270 - Jones (117)
- 7 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 8 SB 298 - Schaaf
- 9 SCS SB 397 - Schaaf
- 10 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS#2 SB 406, HA 1 to HA 1, HA 1, pending - Wallace
- 2 HCS SB 416 - Pratt
- 3 SCS SB 302 - Pratt
- 4 HCS SB 25, as amended, HA 2*, pending - Franz
- 5 SCS SB 46 - Grisamore
- 6 HCS SB 84 - Franz
- 7 SCS SB 91 - St. Onge
- 8 SB 135 - Kingery
- 9 HCS SCS SB 232 - Cooper (158)
- 10 HCS SCS SB 384, E.C. - Daus
- 11 HCS SCS SB 520 - Hunter
- 12 SB 352 - Ruzicka
- 13 HCS SCS SBs 62 & 41 - Ruestman
- 14 HCS SCS SB 82, (Fiscal Review 4-24-07) - Tilley (90 minute debate on Third Reading)
- 15 HCS SB 593 & SCS SB 594 - May
- 16 SB 648 - Kelly
- 17 HCS SB 666 - Grill
- 18 HCS SCS SB 156, (Fiscal Review 4-26-07), E.C. - Quinn (7) (90 minute debate on Third Reading)

- 19 HCS SS SCS SB 320 - Quinn (7)
- 20 SCS SB 418 (Fiscal Review 4-26-07) - Weter
- 21 SB 513 - Wasson

SENATE BILL FOR THIRD READING - REVISION

HCS SRB 613 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HCS HB 7 - Icet
- 3 SCS HCS HB 8 - Icet
- 4 SCS HCS HB 9 - Icet
- 5 SCS HCS HB 10 - Icet
- 6 SCS HCS HB 11, as amended - Icet
- 7 SCS HCS HB 12 - Icet
- 8 SCS HCS HB 13 - Icet

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HB 1, (request Senate recede/grant conference) - Icet
- 2 SCS HCS HB 2, (request Senate recede/grant conference) - Icet
- 3 SCS HCS HB 3, (request Senate recede/grant conference) - Icet
- 4 SCS HCS HB 4, (request Senate recede/grant conference) - Icet
- 5 SCS HCS HB 5, (request Senate recede/grant conference) - Icet
- 6 SCS HCS HB 6, (request Senate recede/grant conference) - Icet

BILLS IN CONFERENCE

- 1 SS SCS HCS HB 327, E.C. - Richard
- 2 HCS SB 376, as amended, E.C. - Wood
- 3 HCS SB 30, as amended - Stevenson
- 4 HCS SCS SB 308, as amended - Wasson
- 5 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-FIFTH DAY, MONDAY, APRIL 30, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, in times of great pressure, we sometimes wonder where our help will come from. Then we look up and remember that our help comes from the LORD, who made heaven and earth! We are confident that it is You who keep us from falling. It is You who give hope and strength for our minds and bodies; always watching over our coming and going. It is You who stand beside us as our protective shade.

So we pay close attention to whatever guidance You provide this day, examining it well, as you have equipped us with skill, with understanding, with knowledge to complete our work and successfully overcome every kind of challenge placed before us.

We understand well, the long-lasting impact that our decisions have on this state and its people. So we consider well our actions and their associated consequences.

Now may You, Heavenly Father, who loved us and by grace gave us eternal comfort and good hope, encourage our hearts and strengthen us in every good thing we do or say.

In Jesus' name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Emma Dyer.

Representative Wasson assumed the Chair.

Speaker Jetton resumed the Chair.

The Journal of the sixty-fourth day was approved as printed.

Representative Onder assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2750 through House Resolution No. 2825

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 7, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 7** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 8, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 8** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 9, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 9** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 10, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 10** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 11, as amended, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 11, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 12, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 12** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Skaggs made a substitute motion that the House refuse to adopt **SCS HCS HB 12** and request the Senate to recede from its position and, failing to do so, grant the House a conference, and the House conferees be bound by the House position on Section 12.505 and 12.500.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher

Flook	Franz	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 066

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Cooper 155	Funderburk	Kratky
Meadows	Wright-Jones			

Representative Skaggs again moved that the House refuse to adopt **SCS HCS HB 12** and request the Senate to recede from its position and, failing to do so, grant the House a conference, and the House conferees be bound by the House position on Section 12.505 and 12.500.

Which motion was defeated by the following vote:

AYES: 067

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hubbard
Hughes	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Moore	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy

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Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Young
Zimmerman	Zweifel			

NOES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Lembke	Lipke	Loehner	Marsh
May	McGhee	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Brown 30	Cooper 155	Funderburk	Kratky
Kraus	Meadows	Wright-Jones		

Representative Ice again moved that the House refuse to adopt **SCS HCS HB 12** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 13, relating to appropriations, was taken up by Representative Ice.

Representative Ice moved that the House refuse to adopt **SCS HCS HB 13** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 25, as amended, with House Amendment No. 2, pending, relating to services for children, was taken up by Representative Franz.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 068

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Cooper 155	Funderburk	Marsh	Meadows
Parson	Salva	Wright-Jones		

Speaker Jetton resumed the Chair.

On motion of Representative Baker (123), **House Amendment No. 2** was adopted by the following vote:

AYES: 082

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow

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Dixon	Emery	Ervin	Faith	Fisher
Franz	Grisamore	Guest	Haywood	Hobbs
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Lembke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 074

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 158
Corcoran	Cox	Curls	Darrough	Daus
Donnelly	Dougherty	Dusenberg	El-Amin	Fallert
Fares	Flook	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Lipke
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Yates	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Cooper 155	Funderburk	Marsh	Meadows
Salva	Wright-Jones			

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard

Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 069

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Cooper 155	Funderburk	Marsh	Meadows
Salva	Wasson			

On motion of Representative Franz, **HCS SB 25, as amended**, was adopted.

On motion of Representative Franz, **HCS SB 25, as amended**, was read the third time and passed by the following vote:

AYES: 083

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fares
Fisher	Franz	Grisamore	Guest	Hobbs
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

NOES: 072

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 158
Corcoran	Cox	Curls	Darrough	Daus
Donnelly	Dougherty	Dusenberg	El-Amin	Fallert
Flook	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Yates
Young	Zimmerman			

PRESENT: 002

Robinson	Zweifel
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ABSENT WITH LEAVE: 006

Brown 30	Cooper 155	Funderburk	Marsh	Meadows
Salva				

Speaker Jetton declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 3** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 4** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 5** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 6** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 7** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 8** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 9** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 10** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 11, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 12** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 13** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Mayer, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 18**, entitled:

An act to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 56**, entitled:

An act to amend chapter 227, RSMo, by adding thereto seven new sections relating to the designation of a memorial highway.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 56, Page 1, Section A, Line 3, by inserting after all of said line the following:

"227.364. The portion of Missouri Route 74/34 contained in Cape Girardeau County, from the Missouri/Illinois state line west to the intersection of Business Loop 55/U.S. 61/Missouri Route 34, shall be designated as the "John Oliver Jr. Parkway". The provisions of section 227.299 regarding highway designations shall not be applicable to the provisions of this section.

227.376. Notwithstanding subsection 8 of section 227.299, the portion of U.S. Highway 60 contained in Stoddard County, from where U.S. Highway 60 and Route ZZ intersect to where U.S. Highway 60 and Missouri Route 25 intersect, shall be designated the "Sergeant Carl Dewayne Graham Jr. Memorial Highway". Costs for such designation shall be paid by the Missouri Troopers' Association."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 75**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 344**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 351**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 426**, entitled:

An act to repeal sections 323.010, 323.020, 323.050, 323.060, 323.075, 323.080, 323.090, and 323.110, RSMo, and to enact in lieu thereof twelve new sections relating to the Missouri propane safety act, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 497**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 574**, entitled:

An act to repeal section 577.051, RSMo, and to enact in lieu thereof one new section relating to Missouri uniform law enforcement system records, with a penalty provision.

With Senate Amendment No. 1 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND House Bill No. 574, Page 1, Title, Line 3, by striking all of said line and inserting in lieu thereof the following:

"the disposition of alcohol-related traffic offenses, with penalty provisions and an emergency clause for a certain section."; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after said line the following:

"577.029. A licensed physician, registered nurse, or trained medical technician at the place of his employment, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. [A nonalcoholic antiseptic shall be used for cleansing the skin prior to venapuncture.] Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him."; and

Further amend said bill, Page 2, Section 577.051, Line 35, by inserting immediately after said line the following:

"Section B. Because of the need to effectively administer the state's drunk driving laws, the repeal and reenactment of section 577.029 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 577.029 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND House Bill No. 574, Page 1, Section A, Line 2, by inserting after all of said line the following:

"84.120. 1. No person shall be appointed or employed as policeman, turnkey, or officer of police who shall have been convicted of, or against whom any indictment may be pending, for any offense, the punishment of which may be confinement in the penitentiary; nor shall any person be so appointed who is not of good character, or who is not a citizen of the United States, or who is not able to read and write the English language, or who does not possess ordinary physical strength and courage. The patrolmen and turnkeys hereafter appointed shall serve while they shall faithfully perform their duties and possess mental and physical ability and be subject to removal only for cause after a hearing by the boards, who are hereby invested with the [exclusive] jurisdiction in the premises.

2. The board shall have the sole discretion whether to delegate portions of its jurisdiction to hearing officers. The board shall retain final and ultimate authority over such matters and over the person to whom the delegation may be made. In any hearing before the board under this section, the member involved may make application to the board to waive a hearing before the board and request that a hearing be held before a hearing officer.

3. Nothing in this section or chapter shall be construed to prohibit the board of police commissioners from delegating any task related to disciplinary matters, disciplinary hearings, or any other hearing or proceeding which could otherwise be heard by the board or concerning any determination related to whether an officer is able to perform the necessary functions of the position. Tasks related to the preceding matter may be delegated by the board to a hearing officer under the provisions of subsection 4 of this section.

4. (1) The hearing officer to whom a delegation has been made by the board may, at the sole discretion of the board, perform certain functions, including but not limited to the following:

- (a) Presiding over a disciplinary matter from its inception through to the final hearing;**
- (b) Preparing a report to the board of police commissioners; and**
- (c) Making recommendations to the board of police commissioners as to the allegations and the appropriateness of the recommended discipline.**

(2) The board shall promulgate rules, which may be changed from time to time as determined by the board, and shall make such rules known to the hearing officer or others.

(3) The board shall at all times retain the authority to render the final decision after a review of the relevant documents, evidence, transcripts, videotaped testimony, or report prepared by the hearing officer or others to whom the board has made such allegations.

5. Hearing officers shall be selected in the following manner:

(1) The board shall establish a panel of not less than five persons, all who are to be licensed attorneys in good standing with the Missouri Bar. The composition of the panel may change from time to time at the board's discretion;

(2) From the panel, the relevant member or officer and a police department representative shall alternatively and independently strike names from the list with the last remaining name being the designated hearing officer. The board shall establish a process to be utilized for each hearing which will determine which party makes the first strike and the process may change from time to time;

(3) After the hearing officer is chosen and presides over a matter, such hearing officer shall become ineligible until all hearing officers listed have been utilized, at which time the list shall renew, subject to officers' availability.

84.170. 1. When any vacancy shall take place in any grade of officers, it shall be filled from the next lowest grade; provided, however, that probationary patrolmen shall serve at least six months as such before being promoted to the rank of patrolman; patrolmen shall serve at least three years as such before being promoted to the rank of sergeant;

sergeants shall serve at least one year as such before being promoted to the rank of lieutenant; lieutenants shall serve at least one year as such before being promoted to the rank of captain; and in no case shall the chief or assistant chief be selected from men not members of the force or below the grade of captain. Patrolmen shall serve at least three years as such before promotion to the rank of detective; the inspector shall be taken from men in the rank not below the grade of lieutenant.

2. The boards of police are hereby authorized to make all such rules and regulations, not inconsistent with sections 84.010 to 84.340, or other laws of the state, as they may judge necessary, for the appointment, employment, uniforming, discipline, trial and government of the police. The said boards shall also have power to require of any officer or policeman bond with sureties when they may consider it demanded by the public interests. All lawful rules and regulations of the board shall be obeyed by the police force on pain of dismissal or such lighter punishment, either by suspension, fine, reduction or forfeiture of pay, or otherwise as the boards may adjudge.

3. The authority possessed by the board of police includes, but is not limited to, the authority to delegate portions of its powers authorized in section 84.120, including presiding over a disciplinary hearing, to a hearing officer as determined by the board."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 616**, entitled:

An act to repeal sections 138.010 and 138.135, RSMo, and to enact in lieu thereof two new sections relating to county boards of equalization.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 616, Page 1, Section 138.010, Line 6, by inserting after the first use of "county" the following:

"and, for such additional members appointed after August 28, 2007, not related to any member of the county board of equalization within the third degree of consanguinity".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 665**, entitled:

An act to repeal sections 49.292 and 50.172, RSMo, and to enact in lieu thereof three new section relating to county documents.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 665, Page 3, Section 53.177, Line 4, by inserting immediately after the word "website" the following:

“, except in any county with a charter form of government with more than one million inhabitants the county assessor shall not maintain blueprints and shall not post them on the office’s website but may maintain sketches and diagrams of improvements and post them on the office’s website”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 680**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 684**, entitled:

An act to authorize the conveyance of certain state properties, with an emergency clause.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 684, Page 11, Section 7.4, Line 55, by striking the word “health” from said line and inserting in lieu thereof “**retardation and developmental disabilities**”.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 795**, entitled:

An act to repeal sections 67.1360, 67.2500, 67.2510, 89.010, 89.400, and 94.837, RSMo, and section 67.2505 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161 merged with house substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and section 67.2505, as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 833 merged with house committee substitute for senate substitute for senate bill no. 732, ninety-second general assembly, second regular session, and to enact in lieu thereof eight new sections relating to local public improvements.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 795, Page 16, Section 89.400, Line 29, by inserting after all of said line the following:

"92.500. 1. The governing body of any city not within a county may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one-half of one percent, and shall be imposed solely for the purpose of providing revenues for the operation of public safety departments, including police and fire departments, which operations are defined to include, but not be limited to, compensation, pension programs, and health care for employees and pensioners of the public safety departments. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

"Shall.....(insert the name of the city) impose a sales tax at a rate of(insert rate of percent) percent, solely for the purpose of providing revenues for the operation of public safety departments of the city, including hiring more police officers, prosecuting more criminals, nuisance crimes, and problem properties?"

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following notification to the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 795, Page 17, Section 94.837, Line 40, by inserting immediately after said line the following:

"479.010. Violations of municipal ordinances shall be [tried] **heard and determined** only before divisions of the circuit court as hereinafter provided in this chapter. **"Heard and determined", for purposes of this chapter, shall mean any process under which the court in question retains the final authority to make factual determinations pertaining to allegations of a municipal ordinance violation, including, but not limited to, the use of a system of administrative adjudication as provided in section 479.011, preliminary to a determination by appeal to the court in question.**

479.011. 1. Any city not within a county **or any home rule city with more than four hundred thousand inhabitants and located in more than one county** may establish, by order or ordinance, an administrative system for adjudicating parking and other **civil**, nonmoving municipal code violations consistent with applicable state law. Such administrative adjudication system shall be subject to practice, procedure, and pleading rules established by the state supreme court, circuit court, or municipal court. This section shall not be construed to affect the validity of other administrative adjudication systems authorized by state law and created before August 28, 2004.

2. The order or ordinance creating the administrative adjudication system shall designate the administrative tribunal and its jurisdiction, including the code violations to be reviewed. The administrative tribunal may operate under the supervision of the municipal court, parking commission, or other entity designated by order or ordinance and in a manner consistent with state law. The administrative tribunal shall adopt policies and procedures for administrative hearings, and filing and notification requirements for appeals to the municipal or circuit court, subject to the approval of the municipal or circuit court.

3. The administrative adjudication process authorized in this section shall ensure a fair and impartial review of contested municipal code violations, and shall afford the parties due process of law. The formal rules of evidence shall not apply in any administrative review or hearing authorized in this section. Evidence, including hearsay, may be admitted only if it is the type of evidence commonly relied upon by reasonably prudent persons in the conduct of their affairs. The code violation notice, property record, and related documentation in the proper form, or a copy thereof, shall be prima facie evidence of the municipal code violation. The officer who issued the code violation citation need not be present.

4. An administrative tribunal may not impose incarceration or any fine in excess of the amount allowed by law. Any sanction, fine or costs, or part of any fine, other sanction, or costs, remaining unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures under chapter 536, RSMo, shall be a debt due and owing the city, and may be collected in accordance with applicable law.

5. Any final decision or disposition of a code violation by an administrative tribunal shall constitute a final determination for purposes of judicial review[.]. **Such determination is subject to review under chapter 536, RSMo, or, at the request of the defendant made within ten days, a trial de novo in the circuit court.** After expiration of the judicial review period under chapter 536, RSMo, unless stayed by a court of competent jurisdiction, the administrative tribunal's decisions, findings, rules, and orders may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Upon being recorded in the manner required by state law or the uniform commercial code, a lien may be imposed on the real or personal property of any defendant entering a plea of nolo contendere, pleading guilty to, or found guilty of a municipal code violation in the amount of any debt due the city under this section and enforced in the same manner as a judgment lien under a judgment of a court of competent jurisdiction."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 795, Page 17, Section 94.837, Line 40, by inserting immediately after all of said line the following:

"247.060. 1. The management of the business and affairs of the district is hereby vested in a board of directors, who shall have all the powers conferred upon the district except as herein otherwise provided, who shall serve without pay. It shall be composed of five members, each of whom shall be a voter of the district and shall have resided in said district one whole year immediately prior to his election. A member shall be at least twenty-five years of age and shall not be delinquent in the payment of taxes at the time of his election. Except as provided in subsection 2 of this section, the term of office of a member of the board shall be three years. The remaining members of the board shall appoint a qualified person to fill any vacancy on the board. If no qualified person who lives in the subdistrict for which there is a vacancy is willing to serve on the board, the board may appoint an otherwise qualified person, who lives in the district but not in the subdistrict in which the vacancy exists to fill such vacancy.

2. After notification by certified mail that he or she has two consecutive unexcused absences, any member of the board failing to attend the meetings of the board for three consecutive regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have vacated the seat, and the secretary of the board shall certify that fact to the board. The vacancy shall be filled as other vacancies occurring in the board.

3. The initial members of the board shall be appointed by the circuit court and one shall serve until the immediately following first Tuesday after the first Monday in June, two shall serve until the first Tuesday after the first Monday in June on the second year following their appointment and the remaining appointees shall serve until the first Tuesday after the first Monday in June on the third year following their appointment. On the expiration of such terms and on the expiration of any subsequent term, elections shall be held as otherwise provided by law, and such elections shall be held in April pursuant to section 247.180.

4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first Tuesday after the first Monday in June until the first Tuesday in April of the third year following the year of their election. All directors elected thereafter shall serve from the first Tuesday in April until the first Tuesday in April of the third year following the year of their election."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 795, Page 6, Section 67.997, Line 156, by inserting immediately after all of said line the following:

"67.1000. 1. The governing body of any county or of any city which is the county seat of any county or which now or hereafter has a population of more than three thousand five hundred inhabitants and which has heretofore been authorized by the general assembly, or of any other city which has a population of more than eighteen thousand and less than forty-five thousand inhabitants located in a county of the first classification with a population over two hundred thousand adjacent to a county of the first classification with a population over nine hundred thousand, may impose a tax

on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at an election permitted under section 115.123, RSMo, a proposal to authorize the governing body of the city or county to impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not-for-profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes.

2. In any county of the third classification without a township form of government and with more than forty-one thousand one hundred but fewer than forty-one thousand two hundred inhabitants, "transient guests", as used in this section and section 67.1002, means a person or persons who occupy a room or rooms in a hotel or motel for ninety days or less during any calendar quarter."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 64, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 81, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 198**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

- SCS HB 1:** Representatives Icet, Robb, Stevenson, Donnelly and LeVota
- SCS HCS HB 2:** Representatives Icet, Robb, Stevenson, LeVota and Bringer
- SCS HCS HB 3:** Representatives Icet, Robb, Stevenson, Bringer and Lampe
- SCS HCS HB 4:** Representatives Icet, Robb, Stevenson, Storch and Hughes
- SCS HCS HB 5:** Representatives Icet, Robb, Stevenson, Donnelly and Hughes
- SCS HCS HB 6:** Representatives Icet, Robb, Stevenson, Whorton and Harris (110)
- SCS HCS HB 7:** Representatives Icet, Robb, Stevenson, Storch and Wright-Jones
- SCS HCS HB 8:** Representatives Icet, Robb, Stevenson, Wildberger and Roorda
- SCS HCS HB 9:** Representatives Icet, Robb, Stevenson, Wildberger and Nasheed
- SCS HCS HB 10:** Representatives Icet, Robb, Stevenson, Donnelly and Curls
- SCS HCS HB 11:** Representatives Icet, Robb, Stevenson, Donnelly and Baker (25)
- SCS HCS HB 12:** Representatives Icet, Robb, Stevenson, Donnelly and LeVota
- SCS HCS HB 13:** Representatives Icet, Robb, Stevenson, Donnelly and LeVota

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SS SCS SB 668 - Special Committee on Workforce Development and Workplace Safety

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 376**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 376, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 376;
2. That the Senate recede from its position on Senate Bill No. 376;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 376, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Griesheimer
/s/ Gary Nodler
/s/ Jack Goodman
/s/ Victor Callahan
/s/ Harry Kennedy

FOR THE HOUSE:

/s/ Dennis Wood
/s/ Shannon Cooper
/s/ Steven Tilley
/s/ Joe Aull
/s/ Sara Lampe

The following member's presence was noted: Cooper (155).

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, May 1, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 3.

Review of Department of Natural Resources performance measures.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 2, 2007, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 3, 2007, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

CONFERENCE COMMITTEE - APPROPRIATIONS

Friday, May 4, 2007, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

CONFERENCE COMMITTEE NOTICE

Tuesday, May 1, 2007, Hearing Room 3 upon afternoon recess or 12:00 p.m. AMENDED

Public hearing to be held on: SS SCS HCS HB 327

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, May 1, 2007, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SS SCS SB 429

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, May 8, 2007, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: HB 1232

HEALTH CARE POLICY

Tuesday, May 1, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: SS SCS SB 85, SCS SB 530

HIGHER EDUCATION

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: SS#6 SCS SB 389

JUDICIARY

Tuesday, May 1, 2007, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SCS SB 368, SB 516

LOCAL GOVERNMENT

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 701, SB 130, SCS SB 299, SB 345, SB 510, SS SCS SB 21, SB 671, SS SCS SB 616

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, May 1, 2007, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SS#2 SCS SB 204

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, May 1, 2007, 1:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 968

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, May 2, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: SB 323

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, May 2, 2007, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: SB 478

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 1, 2007, Hearing Room 6 upon afternoon adjournment.

A draft HCS will be considered.

For further information, please contact rob.schaaf@house.mo.gov.

Executive session may follow.

Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, May 2, 2007, upon morning recess. To Be Announced.

A draft HCS will be considered.

For further information, please contact rob.schaaf@house.mo.gov.

Meeting may be continued upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, May 1, 2007, 12:00 p.m. Hearing Room 4.

Executive session.

SPECIAL COMMITTEE ON UTILITIES

Wednesday, May 2, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1164, SS SCS SBs 49, 65, 210 & 251, SS SB 40

TRANSPORTATION

Tuesday, May 1, 2007, 9:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: SS SB 358, SCS SB 226

HOUSE CALENDAR

SIXTY-SIXTH DAY, TUESDAY, MAY 1, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821 - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter

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- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HB 758 - Brown (50)
- 59 HCS HB 425 - Pearce
- 60 HCS HB 429 - Jones (117)
- 61 HCS HB 716 - Davis
- 62 HCS HB 95 - Sater
- 63 HB 479 - Darrough
- 64 HB 733 - Page
- 65 HCS HB 769 - Bruns
- 66 HCS HB 802 - Page
- 67 HB 1155 - Wright-Jones
- 68 HCS HB 442 - Kingery
- 69 HB 727 - Portwood
- 70 HB 888 - Grisamore
- 71 HCS HB 923 - Kratky
- 72 HB 1251 - Komo
- 73 HCS HB 331 - Lipke
- 74 HCS#2 HB 735 - Cooper (158)
- 75 HCS HB 833 - Wasson
- 76 HB 1104 - Hughes

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)
- 4 HCS SB 166 - Wood
- 5 SB 172 - Flook
- 6 HCS SB 270 - Jones (117)
- 7 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 8 SB 298 - Schaaf
- 9 SCS SB 397 - Schaaf
- 10 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS#2 SB 406, HA 1 to HA 1, HA 1, pending - Wallace
- 2 HCS SB 416 - Pratt
- 3 SCS SB 302 - Pratt
- 4 SCS SB 46 - Grisamore
- 5 HCS SB 84 - Franz
- 6 SCS SB 91 - St. Onge
- 7 SB 135 - Kingery
- 8 HCS SCS SB 232 - Cooper (158)
- 9 HCS SCS SB 384, E.C. - Daus
- 10 HCS SCS SB 520 - Hunter
- 11 SB 352 - Ruzicka
- 12 HCS SCS SBs 62 & 41 - Ruestman
- 13 HCS SCS SB 82, (Fiscal Review 4-24-07) - Tilley (90 minute debate on Third Reading)
- 14 HCS SB 593 & SCS SB 594 - May
- 15 SB 648 - Kelly
- 16 HCS SB 666 - Grill
- 17 HCS SCS SB 156, (Fiscal Review 4-26-07) E.C. - Quinn (7) (90 minute debate on Third Reading)
- 18 HCS SS SCS SB 320 - Quinn (7)
- 19 SCS SB 418, (Fiscal Review 4-26-07) - Weter
- 20 SB 513 - Wasson

SENATE BILL FOR THIRD READING - REVISION

HCS SRB 613 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 HB 56, SA 1 - Sater
- 3 HB 574, SA 1, SA 3, E.C. - St. Onge
- 4 HCS HB 616, SA 1 - Wood
- 5 SCS HB 684, as amended, E.C. - Bruns
- 6 SS HB 665, as amended - Ervin
- 7 SCS HCS HB 795, as amended - Flook
- 8 SCS HCS HB 18 - Icet
- 9 SCS HCS HB 426 - Parson

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 64, as amended (request House recede/grant conference), E.C. - Wallace
- 2 HCS SB 81, as amended (request House recede/grant conference), E.C. - Schlottach
- 3 HCS SCS SB 198, (request House recede/grant conference) - Pollock

BILLS IN CONFERENCE

- 1 SS SCS HCS HB 327, E.C. - Richard
- 2 CCR HCS SB 376, as amended, E.C. - Wood
- 3 HCS SB 30, as amended - Stevenson
- 4 HCS SCS SB 308, as amended - Wasson
- 5 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 6 SCS HB 1 - Icet
- 7 SCS HCS HB 2 - Icet
- 8 SCS HCS HB 3 - Icet
- 9 SCS HCS HB 4 - Icet
- 10 SCS HCS HB 5 - Icet
- 11 SCS HCS HB 6 - Icet
- 12 SCS HCS HB 7 - Icet
- 13 SCS HCS HB 8 - Icet
- 14 SCS HCS HB 9 - Icet
- 15 SCS HCS HB 10 - Icet
- 16 SCS HCS HB 11, as amended - Icet
- 17 SCS HCS HB 12 - Icet
- 18 SCS HCS HB 13 - Icet

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

- HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-SIXTH DAY, TUESDAY, MAY 1, 2007

The House met pursuant to adjournment.

Representative Dixon in the Chair.

Prayer by Msgr. Donald W. Lammers.

In 1958, forty-nine years ago, May 1st was proclaimed Law Day in the United States.

Almighty God, You have revealed Your law to humankind, teaching us how to live in peace with You, and how to live in peace and justice with each other on earth.

You guided our forefathers in forming the United States of America as a nation of laws, which allows us to live together in peace and prosperity.

Almighty God, on this Law Day, we are conscious of the dignity of our work in creating laws, laws that help all the people of our State live together in peace and prosperity. By Your grace help us in our work, so that the human laws we help create are always in harmony with Your divine law. For You are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amina Zuna, John Broughton, Sandy Chesterton, Scotty Franc, Jackson Bates, Sarah Becker, Desiree Smith, Dalton Stockton, Emma Dyer, Hannah Brobst, Ryan Myers, Nathan Pence and Mary Claire.

The Journal of the sixty-fifth day was approved as printed.

THIRD READING OF SENATE BILLS

HCS SB 416, relating to adverse possession of certain lands, was taken up by Representative Pratt.

Representative Harris (110) offered **House Amendment No. 1**.

Representative Pratt raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Dixon requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Kuessner offered **House Amendment No. 2**.

Representative Jones (89) raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Dixon requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Pratt, **HCS SB 416** was adopted.

On motion of Representative Pratt, **HCS SB 416** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Darrough

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 006

Brown 30
Sander

Bruns

Flook

Funderburk

Meadows

Representative Dixon declared the bill passed.

SCS SB 302, relating to statutory liens against real estate, was taken up by Representative Pratt.

Representative Pratt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 302, Page 1, Section 429.010, Lines 2-4, by striking all of said lines and inserting in lieu thereof the following:

"**land**, rent any machinery or equipment, **or use any rental machinery or equipment**, or furnish any material, fixtures, engine,"; and

Further amend said substitute, Page 1, Section 429.010, Line 10, by deleting the words "**at whatever tier**,"; and

Further amend said substitute, Page 2, Section 429.010, Lines 36-37, by deleting all of said lines and inserting in lieu thereof the following:

"person. For claims involving the rental of machinery or equipment **to others who use the rental machinery or equipment**, the lien shall be for the reasonable"; and

Further amend said substitute, Page 2, Section 429.010, Line 42, by deleting all of said line and inserting in lieu thereof the following:

"unless:"; and

Further amend said substitute, Page 2, Section 429.010, Lines 50-52, by deleting all of said lines and inserting in lieu thereof the following:

"equipment being rented, and the rental rate. **Nothing contained in subsection 2 of this section shall apply to persons who use rented machinery or equipment in performing the work or labor described in subsection 1 of this section.**"; and

Further amend said substitute, Page 3, Section 429.080, Lines 6-7, by deleting all of said lines and inserting in lieu thereof the following:

"rental equipment or machinery **rented to others, then**, within sixty days after the date the last of the rental"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pratt, **House Amendment No. 1** was adopted.

On motion of Representative Pratt, **SCS SB 302, as amended**, was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Nasheed

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Funderburk	Meadows	Salva
Sander	Wilson 119			

Representative Dixon declared the bill passed.

SCS SB 46, relating to a Faith-Based Organization Liaison Act, was taken up by Representative Grisamore.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 46, Page 1, in the Title, by inserting after the word “**based**” the words “**and community**”; and

Further amend said section, Page 1, Line 2, by inserting before the word “**Organization**” the words “**and Community**”; and

Further amend said bill, Section 660.750, Page 1, Line 5, by inserting after the word “**faith-based**” the words “**and community**”; and

Further amend said section, Page 1, Line 8, by inserting after the word “**faith-based**” the words “**and community**”; and

Further amend said section, Page 1, Line 12, by inserting after the word “**faith-based**” the words “**and community**”; and

Further amend said section, Page 1, Line 15, by inserting after the word “**faith-based**” the words “**and community**”; and

Further amend said section, Page 1, Line 17, by inserting after the word “**faith-based**” the words “**and community**”; and

Further amend said section, Page 2, Line 22, by inserting after the word “**faith-based**” the words “**and community**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

SCS SB 46 was laid over.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SB 233: Representatives Stevenson, Tilley, Nolte, Holsman and Zweifel

HCS SCS SB 308: Representatives Wasson, Parson, Tilley, Page and McClanahan

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 17**, entitled:

An act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2007 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 264**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 554**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 555**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 25, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Muschany.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Callie Hatch, Jasmina Murtic, Emina Memić and Nick Fogle.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2826 through House Resolution No. 2974

THIRD READING OF SENATE BILL

HCS SCS SBs 62 & 41, relating to the defensive use of force and firearms, was taken up by Representative Ruestmann.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 62 & 41, Page 3, Section 563.058, Lines 1 through 3, by deleting all of said lines and inserting in lieu thereof the following:

"563.058. 1. A person who uses force as described in sections 563.031, 563.041, 563.046, 563.051, 563.056, and 563.061 is justified in using such force and such fact shall be an absolute defense to criminal prosecution or civil liability, unless the person against whom"; and

Further amend said section, Page 3, Lines 7 through 9, by deleting all of the following sentence:

"As used in this subsection, the term "criminal prosecution" includes arresting, detaining in custody, and charging or prosecuting the defendant."; and

Further amend said bill, Page 4, Section 571.030, Line 33, by inserting after the word, "**jurisdiction**," the following, "**or all qualified retired peace officers, as defined in subsection 10 of this section, and who carry the identification required by subsection 11 of this section**"; and

Further amend said section, Page 6, Line 97, by inserting after all of said line the following:

"10. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more; or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

11. The identification required by this subsection is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Whorton offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 62 & 41, Page 2, Section (3), Line 26, after said line add:

"Also such certification shall be extended to persons who have served six years, or longer as an elected member of the Missouri General Assembly."; and

Further amend said bill by enacting clause accordingly.

Representative Whorton moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Talboy offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 62 & 41, Page 1, Line 5, by deleting from said line the word "**absolute**" and inserting in lieu thereof the word "**affirmative**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 2 to House Amendment No. 1** was adopted.

On motion of Representative Jones (89), **House Amendment No. 1, as amended**, was adopted.

Representative Munzlinger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 62 & 41, Section 571.111, Page 9, Line 75, by inserting immediately after said line the following:

"630.140. 1. Information and records compiled, obtained, prepared or maintained by the residential facility, day program operated, funded or licensed by the department or otherwise, specialized service, or by any mental health facility or mental health program in which people may be civilly detained pursuant to chapter 632, RSMo, in the course of providing services to either voluntary or involuntary patients, residents or clients shall be confidential.

2. The facilities or programs shall disclose information and records including medication given, dosage levels, and individual ordering such medication to the following upon their request:

(1) The parent of a minor patient, resident or client;
(2) The guardian or other person having legal custody of the patient, resident or client;
(3) The attorney of a patient, resident or client who is a ward of the juvenile court, an alleged incompetent, an incompetent ward or a person detained under chapter 632, RSMo, as evidenced by court orders of the attorney's appointment;

(4) An attorney or personal physician as authorized by the patient, resident or client;
(5) Law enforcement officers and agencies, information about patients, residents or clients committed pursuant to chapter 552, RSMo, but only to the extent necessary to carry out the responsibilities of their office, and all such law enforcement officers shall be obligated to keep such information confidential;

(6) The entity or agency authorized to implement a system to protect and advocate the rights of persons with developmental disabilities under the provisions of 42 U.S.C. Sections 15042 to 15044. The entity or agency shall be able to obtain access to the records of a person with developmental disabilities who is a client of the entity or agency if such person has authorized the entity or agency to have such access; and the records of any person with developmental disabilities who, by reason of mental or physical condition is unable to authorize the entity or agency to have such access, if such person does not have a legal guardian, conservator or other legal representative, and a complaint has been received by the entity or agency with respect to such person or there is probable cause to believe that such person has been subject to abuse or neglect. The entity or agency obtaining access to a person's records shall meet all requirements for confidentiality as set out in this section;

(7) The entity or agency authorized to implement a system to protect and advocate the rights of persons with mental illness under the provisions of 42 U.S.C. 10801 shall be able to obtain access to the records of a patient, resident or client who by reason of mental or physical condition is unable to authorize the system to have such access, who does not have a legal guardian, conservator or other legal representative and with respect to whom a complaint has been received by the system or there is probable cause to believe that such individual has been subject to abuse or neglect. The entity or agency obtaining access to a person's records shall meet all requirements for confidentiality as set out in

this section. The provisions of this subdivision shall apply to a person who has a significant mental illness or impairment as determined by a mental health professional qualified under the laws and regulations of the state;

(8) To mental health coordinators, but only to the extent necessary to carry out their duties under chapter 632, RSMo.

3. The facilities or services may disclose information and records under any of the following:

(1) As authorized by the patient, resident or client;

(2) To persons or agencies responsible for providing health care services to such patients, residents or clients;

(3) To the extent necessary for a recipient to make a claim or for a claim to be made on behalf of a recipient for aid or insurance;

(4) To qualified personnel for the purpose of conducting scientific research, management audits, financial audits, program evaluations or similar studies; provided, that such personnel shall not identify, directly or indirectly, any individual patient, resident or client in any report of such research, audit or evaluation, or otherwise disclose patient, resident or client identities in any manner;

(5) To the courts as necessary for the administration of chapter 211, RSMo, 475, RSMo, 552, RSMo, or 632, RSMo;

(6) To law enforcement officers or public health officers, but only to the extent necessary to carry out the responsibilities of their office, and all such law enforcement and public health officers shall be obligated to keep such information confidential;

(7) Pursuant to an order of a court or administrative agency of competent jurisdiction;

(8) To the attorney representing petitioners, but only to the extent necessary to carry out their duties under chapter 632, RSMo;

(9) To the department of social services or the department of health and senior services as necessary to report or have investigated abuse, neglect, or rights violations of patients, residents, or clients;

(10) To a county board established pursuant to sections 205.968 to 205.972, RSMo 1986, but only to the extent necessary to carry out their statutory responsibilities. The county board shall not identify, directly or indirectly, any individual patient, resident or client;

(11) To parents, legal guardians, treatment professionals, law enforcement officers, and other individuals who by having such information could mitigate the likelihood of a suicide. The facility treatment team shall have determined that the consumer's safety is at some level of risk.

4. The facility or program shall document the dates, nature, purposes and recipients of any records disclosed under this section and sections 630.145 and 630.150.

5. The records and files maintained in any court proceeding under chapter 632, RSMo, shall be confidential and available only to the patient, the patient's attorney, guardian, or, in the case of a minor, to a parent or other person having legal custody of the patient, [and] to the petitioner and the petitioner's attorney, **and to the Missouri state highway patrol for reporting to the National Instant Criminal Background Check System (NICS)**. In addition, the court may order the release or use of such records or files only upon good cause shown, and the court may impose such restrictions as the court deems appropriate.

6. Nothing contained in this chapter shall limit the rights of discovery in judicial or administrative procedures as otherwise provided for by statute or rule.

7. The fact of admission of a voluntary or involuntary patient to a mental health facility under chapter 632, RSMo, may only be disclosed as specified in subsections 2 and 3 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Munzlinger, **House Amendment No. 2** was adopted.

On motion of Representative Ruestman, **HCS SCS SBs 62 & 41, as amended**, was adopted.

On motion of Representative Ruestman, **HCS SCS SBs 62 & 41, as amended**, was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 006

Bowman	Curls	Low 39	Lowe 44	Nasheed
Oxford				

PRESENT: 000

ABSENT WITH LEAVE: 003

Brown 30	Funderburk	Marsh
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Representative Muschany declared the bill passed.

Representative Dixon resumed the Chair.

Representative Muschany resumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 376, as amended**, and has taken up and passed **CCS HCS SB 376**.

Emergency clause adopted.

BILL IN CONFERENCE

CCR HCS SB 376, as amended, relating to financial impact on tourism, was taken up by Representative Wood.

On motion of Representative Wood, **CCR HCS SB 376, as amended**, was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Curls	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 005

Cunningham 86	Davis	George	Komo	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 30	Bruns	Funderburk	Marsh	Page
Wasson				

On motion of Representative Wood, **CCS HCS SB 376** was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Curls	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 007

Cunningham 86	Davis	George	Johnson	Komo
Skaggs	Talboy			

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker 25	Brown 30	Funderburk	Marsh	Ruestman
Schaaf				

Representative Muschany declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Curls	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Grill	Grisamore	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kelly
Kingery	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 012

Burnett	Cunningham 86	Davis	George	Hughes
Johnson	Komo	Low 39	Skaggs	Talboy
Vogt	Wildberger			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Funderburk	Guest	Hobbs	Hunter
Marsh	Ruestman			

THIRD READING OF SENATE BILL

HCS#2 SB 406, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, relating to employee benefit plans, was taken up by Representative Wallace.

House Amendment No. 1 to House Amendment No. 1 was withdrawn.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 2, Section 87.006, by inserting after all of said section the following:

"103.080. 1. As used in this section, the following terms shall mean:

(1) "Health savings account" or "account", shall have the same meaning ascribed to it as in 26 U.S.C. Section 223(d), as amended;

(2) "High deductible health plan", a policy or contract of health insurance or health care plan that meets the criteria established in 26 U.S.C. Section 223(c)(2), as amended, and any regulations promulgated thereunder.

2. Beginning with the open enrollment period for the 2008 plan year, the board shall offer to all qualified employees and participating public entities the option of receiving health care coverage through a high deductible health plan and the establishment of a health savings account. In no instance shall a qualified employee be required to enroll in a high deductible health plan with a deductible greater than the minimum allowed by law, however, a qualified employee shall have the option to enroll in a high deductible health plan up to the maximum allowed by law. The health savings account shall conform to the guidelines to be established by the Internal Revenue Service for the 2008 tax year but in no case shall a qualified employee be required to contribute more than the minimum amount allowed by law. A qualified employee may contribute up to the maximum allowed by law. In order for a qualified individual to obtain a high deductible health plan through the Missouri consolidated health care plan, such individual shall present evidence, in a manner prescribed by regulation, to the board that he or she has established a health savings account in compliance with 26 U.S.C. Section 223, and any amendments and regulations promulgated thereto.

3. The board is authorized to promulgate rules and regulations for the administration and implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

4. The board shall issue a request for proposals from insurance carriers interested in offering a high deductible health plan in connection with a health savings account."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dixon resumed the Chair.

Representative Ervin offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute No. 2 for Senate Bill No. 406, Page 1, Line 10, by inserting after the word, "**employees**" the following words, "**, in addition to the plans currently offered including but not limited to health maintenance organization plans, preferred provider organization plans, copay plans,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ervin, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Portwood, **House Substitute Amendment No. 1. for House Amendment No 1, as amended**, was adopted.

Representative Schoeller offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 2, Section 87.006, by inserting after all of said section the following:

"94.579. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one percent, and shall be imposed solely for the purpose of providing revenues for the operation of public safety departments, including police and fire departments, and for pension programs, and health care for employees and pensioners of the public safety departments. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of (up to one) percent, solely for the purpose of providing revenues for the operation of public safety departments of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following notification to the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Public Safety Protection Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. The director shall keep accurate records of the amounts in the fund, and such records shall be open to the inspection of the officers of such city and to the public. Not later than the tenth day of each month, the director shall distribute all moneys deposited in the fund during the preceding month to the city. Such funds shall be deposited with the treasurer of

the city, and all expenditures of moneys from the fund shall be by an appropriation ordinance enacted by the governing body of the city.

4. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087, RSMo, shall apply. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the city may authorize the use of a bracket system similar to that authorized in section 144.285, RSMo, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525, RSMo, governing the state sales tax, and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for the tax and penalties under this section, the limitation for bringing suit for the collection of the delinquent tax and penalties shall be the same as that provided in sections 144.010 to 144.525, RSMo.

6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (up to one) percent for the purpose of providing revenues for the operation of public safety departments of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. The governing body of any city that has adopted the sales tax authorized in this section shall submit the question of repeal of the tax to the voters every five years from the date of its inception on a date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (up to one) percent for the purpose of providing revenues for the operation of public safety departments of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

9. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city."; and

Further amend said bill, Page 44, Section 105.683, Line 1, by inserting after the words, "**Any plan**," the following words, "**other than a plan created pursuant to sections 169.010 through 169.141 or sections 169.600 through 169.715**"; and

Further amend said section, Page 44, Line 3, by deleting the word, "**three**" and inserting in lieu thereof the word, "**five**"; and

Further amend said section, Page 44, Line 4, by deleting the word, "**three**" and inserting in lieu thereof the word, "**five**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2** was adopted.

Representative Bivins offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Section 211.393, Page 72, Line 209, by inserting after all of said line the following:

"321.220. For the purpose of providing fire protection to the property within the district, the district and, on its behalf, the board shall have the following powers, authority and privileges:

- (1) To have perpetual existence;
- (2) To have and use a corporate seal;
- (3) To sue and be sued, and be a party to suits, actions and proceedings;
- (4) To enter into contracts, franchises and agreements with any person, partnership, association or corporation, public or private, affecting the affairs of the district, including contracts with any municipality, district or state, or the United States of America, and any of their agencies, political subdivisions or instrumentalities, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service

relating to the control or prevention of fires, including the installation, operation and maintenance of water supply distribution, fire hydrant and fire alarm systems; provided, that a notice shall be published for bids on all construction or purchase contracts for work or material or both, outside the authority contained in subdivision (9) of this section, involving an expense of ten thousand dollars or more;

(5) Upon approval of the voters as herein provided, to borrow money and incur indebtedness and evidence the same by certificates, notes or debentures, and to issue bonds, in accordance with the provisions of this chapter;

(6) To acquire, construct, purchase, maintain, dispose of and encumber real and personal property, fire stations, fire protection and fire-fighting apparatus and auxiliary equipment therefor, and any interest therein, including leases and easements;

(7) To refund any bonded indebtedness of the district without an election. The terms and conditions of refunding bonds shall be substantially the same as those of the original issue of bonds, and the board shall provide for the payment of interest, at not to exceed the legal rate, and the principal of such refunding bonds in the same manner as is provided for the payment of interest and principal of bonds refunded;

(8) To have the management, control and supervision of all the business and affairs of the district, and the construction, installation, operation and maintenance of district improvements therein;

(9) To hire and retain agents, employees, engineers and attorneys, including part-time or volunteer firemen;

(10) To have and exercise the power of eminent domain and in the manner provided by law for the condemnation of private property for public use to take any property within the district necessary to the exercise of the powers herein granted;

(11) To receive and accept by bequest, gift or donation any kind of property. Notwithstanding any other provision of law to the contrary, any property received by the fire protection district as a gift or any property purchased by the fire protection district at a price below the actual market value of the property may be returned to the donor or resold to the seller if such property is not used for the specific purpose for which it was acquired;

(12) To adopt and amend bylaws, fire protection and fire prevention ordinances, and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects and affairs of the board and of the district, and refer to the proper authorities for prosecution any infraction thereof detrimental to the district. Any person violating any such ordinance is hereby declared to be guilty of a misdemeanor, and upon conviction thereof shall be punished as is provided by law therefor. The prosecuting attorney for the county in which the violation occurs shall prosecute such violations in the circuit court of that county. The legal officer or attorney for the fire district may be appointed by the prosecuting attorney as special assistant prosecuting attorney for the prosecution of any such violation. The enactments of the fire district in delegating administrative authority to officials of the district may provide standards of action for the administrative officials, which standards are declared as industrial codes adopted by nationally organized and recognized trade bodies. The board shall have the power to adopt an ordinance, rule, or regulation allowing the district to charge individuals who reside outside of the district, but who receive emergency services within the boundaries of the district, for the actual and reasonable cost of such services. However, such actual and reasonable costs shall not exceed one hundred dollars for responding to each fire call or alarm and two hundred fifty dollars for each hour or a proportional sum for each quarter hour spent in combating a fire or emergency;

(13) To pay all court costs and expenses connected with the first election or any subsequent election in the district;

(14) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted herein. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of this chapter;

(15) To provide for health, accident, disability and pension benefits for the salaried members of its organized fire department of the district and such other benefits for their spouses and eligible unemancipated children, through either or both a contributory or noncontributory plan. For purposes of this section, "eligible unemancipated child" means a natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the insured, who is less than twenty-three years of age, who is not married, not employed on a full-time basis, not maintaining a separate residence except for full-time students in an accredited school or institution of higher learning, and who is dependent on parents or guardians for at least fifty percent of his or her support. The type and amount of such benefits shall be determined by the board of directors of the fire protection district within the level of available revenues of the pension program and other available revenues of the district. If an employee contributory plan is adopted, then [at least one voting member of the board of trustees shall be a member of the fire district elected by the contributing members, which shall not be

the same as the board of directors] **the employee contributory plan shall be administered by a separate pension board of trustees composed of five members, to be selected as follows: the pension plan participants shall nominate three such participants to be submitted to the board of directors; the board of directors shall appoint two of the three participants to serve on the five-member pension board of trustees; the board of directors shall be the other three members of the five-member pension board of trustees;**

(16) To contract with any municipality that is contiguous to a fire protection district for the fire protection district to provide fire protection to the municipality for a fee as hereinafter provided;

(17) To provide for life insurance, accident, sickness, health, disability, annuity, length of service, pension, retirement and other employee-type fringe benefits, subject to the provisions of section 70.615, RSMo, for the volunteer members of any organized fire department of the district and such other benefits for their spouses and eligible unemancipated children, through either a contributory or noncontributory plan, or both. For purposes of this section, "eligible unemancipated child" means a natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the insured, who is less than twenty-three years of age, who is not married, not employed on a full-time basis, not maintaining a separate residence except for full-time students in an accredited school or institution of higher learning, and who is dependent on parents or guardians for at least fifty percent of his or her support. The type and amount of such benefits shall be determined by the board of directors of the fire protection district within available revenues of the district, including the pension program of the district. The provision and receipt of such benefits shall not make the recipient an employee of the district. Directors who are also volunteer members may receive such benefits while serving as a director of the district;

(18) To contract for services with any rural, volunteer or subscription fire department or organization, or volunteer fire protection association, as defined in section 320.300, RSMo, for the purpose of providing the benefits described in subdivision (17) of this section."; and

Further amend said bill, Section 321.800, Page 72, Lines 1 through 7, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Zimmerman raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dixon requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Muschany resumed the Chair.

Representative Roorda offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute No. 2 for Senate Bill No. 406, Page 3, Section 321.220, Line 29, by striking the word "nominate" and replace it with the word "elect"; and

Further amend House Amendment No. 3 to House Committee Substitute No. 2 for Senate Bill No. 406, Page 4, Section 321.220, Lines 1 through 3, by striking all of said lines and replacing said lines with the following:

"participants to serve on the five-member pension board; the board of directors shall elect from its membership the other two members of the five-member pension board of trustees;"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Dixon resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 069

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman	Brown 30	Funderburk	Hoskins	Marsh
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HCS#2 SB 406, as amended, with House Amendment No. 3, pending, was laid over.

Speaker Jetton resumed the Chair.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HB 405** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 405** was delivered to the Governor by the Chief Clerk of the House.

Representative Dixon resumed the Chair.

THIRD READING OF SENATE BILLS

HCS#2 SB 406, as amended, with House Amendment No. 3, pending, relating to employee benefit plans, was again taken up by Representative Wallace.

Representative Bivins moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Baker 123	Bearden	Bivins	Brandom	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Day
Denison	Dethrow	Dixon	Emery	Ervin
Fares	Fisher	Grisamore	Haywood	Hobbs
Hunter	Ice	Jones 89	Jones 117	Loehner
May	McGhee	Munzlinger	Muschany	Nance
Onder	Parson	Pearce	Pratt	Quinn 7
Richard	Ruestman	Ruzicka	Sater	Scharnhorst
Schlottach	Schoeller	Self	Stevenson	Thomson
Tilley	Wallace	Walton	Wasson	Wilson 119
Wilson 130	Wood	Wright-Jones	Mr Speaker	

NOES: 104

Aull	Avery	Baker 25	Bland	Bowman
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 158	Corcoran	Curls	Darrough
Daus	Davis	Deeken	Dempsey	Donnelly
Dougherty	Dusenberg	El-Amin	Faith	Fallert
Flook	Frame	Franz	George	Grill
Guest	Harris 23	Harris 110	Hodges	Holsman
Hubbard	Hughes	Johnson	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Moore
Nasheed	Nieves	Nolte	Norr	Oxford
Page	Pollock	Portwood	Quinn 9	Robb
Robinson	Roorda	Rucker	Salva	Sander
Scavuzzo	Schaaf	Schad	Schieffer	Schneider
Schoemehl	Shively	Silvey	Skaggs	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Threlkeld	Todd	Viebrock
Villa	Vogt	Walsh	Wells	Weter

Whorton
Yates

Wildberger
Young

Witte
Zimmerman

Wright 159
Zweifel

Yaeger

PRESENT: 001

Smith 14

ABSENT WITH LEAVE: 004

Brown 30

Funderburk

Hoskins

Marsh

Representative Bearden offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 15, Section 104.320, Line 57, by inserting after the word, "**contracts**" the following words, "**and may employ or contract with third-party advisors**"; and

Further amend said section, Page 15, Line 58, by inserting after the word, "**section.**" the following words, "**The board shall have the power to borrow money for any of the authorized purposes of the board and to issue negotiable notes, bonds or other instruments in writing in evidence of the sum or sums to be borrowed.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Muschany resumed the Chair.

On motion of Representative Bearden, **House Amendment No. 4** was adopted.

Representative Franz offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 1, Section A, by inserting after all of said section the following:

"50.1250. 1. If a member has less than five years of creditable service upon termination of employment, the member shall forfeit the portion of his or her defined contribution account attributable to board matching contributions or county matching contributions pursuant to section 50.1230. The proceeds of such forfeiture shall be applied towards matching contributions made by the board for the calendar year in which the forfeiture occurs. If the board does not approve a matching contribution, then forfeitures shall revert to the county employees' retirement fund. The proceeds of such forfeiture with respect to county matching contributions shall be applied toward matching contributions made by the respective county in accordance with rules prescribed by the board.

2. A member shall be eligible to receive a distribution of the member's defined contribution account in such form selected by the member as permitted under and in accordance with the rules and regulations formulated and adopted by the board from time to time, and commencing as soon as administratively feasible following separation from service, unless the member elects to receive the account balance at a later time, but no later than his or her required beginning date. Notwithstanding the foregoing, if the value of a member's defined contribution account balance is [five] **one** thousand dollars or less at the time of the member's separation from service, without respect to any board-matching contributions or employer-matching contribution which might be allocated following the member's separation from service, then his or her defined contribution account shall be distributed to the member in a single sum as soon as administratively feasible following his or her separation from service. The amount of the distribution shall be the amount determined as of the valuation date described in section 50.1240, if the member has at least five years of creditable service. If the member has less than five years of creditable service upon his or her separation from service, then the

amount of the distribution shall equal the portion of the member's defined contribution account attributable to the member's seed contributions pursuant to section 50.1220, if any, determined as of the valuation date.

3. If the member dies before receiving the member's account balance, the member's designated beneficiary shall receive the member's defined contribution account balance, as determined as of the immediately preceding valuation date, in a single sum. The member's beneficiary shall be his or her spouse, if married, or his or her estate, if not married, unless the member designates an alternative beneficiary in accordance with procedures established by the board."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 5** was adopted.

Representative Flook offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 1, Section A, Line 10, by inserting after all of said line the following:

"86.1230. 1. Any member who retires subsequent to August 28, 1991, with entitlement to a pension under sections 86.900 to 86.1280, shall receive each month, in addition to such member's base pension and cost-of-living adjustments thereto under section 86.1220, and in addition to any other compensation or benefit to which such member may be entitled under sections 86.900 to 86.1280, a supplemental retirement benefit of fifty dollars per month. The amount of such supplemental retirement benefit may be adjusted by cost-of-living adjustments determined by the retirement board not more frequently than annually. [Such determination shall be based on advice of the plan's actuary that the increase in the benefit will not cause the present value of anticipated future plan benefits, calculated on the actuarial assumptions used for the most recent annual valuation, to exceed the sum of the trust fund assets plus the present value of anticipated contributions to the trust fund.]

2. Any member who was retired on or before August 28, 1991, and is receiving retirement benefits from the retirement system shall, upon application to the retirement board, be retained as a consultant, and for such services such member shall receive each month, in addition to such member's base pension and cost-of-living adjustments thereto under section 86.1220, and in addition to any other compensation or benefit to which such member may be entitled under sections 86.900 to 86.1280, a supplemental compensation in the amount of fifty dollars per month. This appointment as a consultant shall in no way affect any member's eligibility for retirement benefits under the provisions of sections 86.900 to 86.1280, or in any way have the effect of reducing retirement benefits otherwise payable to such member. The amount of such supplemental compensation under this subsection may be adjusted by cost-of-living adjustments determined by the retirement board not more frequently than annually. [Such determination shall be based on advice of the plan's actuary that the increase in the benefit will not cause the present value of anticipated future plan benefits, calculated on the actuarial assumptions used for the most recent annual valuation, to exceed the sum of the trust fund assets plus the present value of anticipated contributions to the trust fund.]

3. [In determining and granting the cost-of-living adjustments under this section, the retirement board shall adopt such rules and regulations as may be necessary to effectuate the purposes of this section, including provisions for the manner of computation of such adjustments and the effective dates thereof. The retirement board shall provide for such adjustments to be determined once each year and granted on a date or dates to be chosen by the board. The retirement board shall not be required to prorate the initial adjustment to any supplemental retirement benefit or any supplemental compensation under this section for any member.

4.] For purposes of subsections 1 and 2 of this section, the term "member" shall include a surviving spouse entitled to a benefit under sections 86.900 to 86.1280 who shall be deemed to have retired for purposes of this section on the date of retirement of the member of whom such person is the surviving spouse or on the date of death of such member if such member died prior to retirement; provided, that if the surviving spouse of any member who retired prior to August 28, 2000, shall not have remarried prior to August 28, 2000, but remarries thereafter, such surviving spouse shall thereafter receive benefits under subsection 2 of this section, and provided further, that no benefits shall be payable under this section to the surviving spouse of any member who retired prior to August 28, 2000, if such surviving spouse was at any time remarried after the member's death and prior to August 28, 2000. All benefits payable to a surviving

spouse under this section shall be in addition to all other benefits to which such surviving spouse may be entitled under other provisions of sections 86.900 to 86.1280. Any such surviving spouse of a member who dies while entitled to payments under this section shall succeed to the full amount of payment under this section to which such member was entitled at the time of such member's death, including any cost-of-living adjustments received by such member in the payment under this section prior to such member's death. In all events, the term "member" shall not include any children of the member who would be entitled to receive part or all of the pension which would be received by a surviving spouse if living.

4. Any member who is receiving benefits from the retirement system and who either was retired under the provisions of subdivision (1) of subsection 1 of section 86.1150, or who retired before August 28, 2001, under the provisions of section 86.1180 or section 86.1200, shall, upon application to the retirement board, be retained as a consultant. For such services such member shall receive each month in addition to such member's base pension and cost-of-living adjustments thereto under section 86.1220, and in addition to any other compensation or benefit to which such member may be entitled under sections 86.900 to 86.1280, an equalizing supplemental compensation of ten dollars per month. This appointment as a consultant shall in no way affect any member's eligibility for retirement benefits under the provisions of sections 86.900 to 86.1280, or in any way have the effect of reducing retirement benefits otherwise payable to such member. The amount of equalizing supplemental compensation under this subsection may be adjusted by cost-of-living adjustments, determined by the retirement board not more frequently than annually, but in no event shall the aggregate of such equalizing supplemental compensation together with all such cost-of-living adjustments thereto exceed twenty-five percent of the member's base pension. Each cost-of-living adjustment to compensation under this subsection shall be determined independently of any cost-of-living adjustment to any other benefit under sections 86.900 to 86.1280. For the purposes of this subsection, the term "member" shall include a surviving spouse entitled to benefits under the provisions of section 86.900 to 86.1280, and who is the surviving spouse of a member who qualified, or would have qualified if living, for compensation under this subsection. Such surviving spouse shall, upon application to the retirement board, be retained as a consultant, and for such services shall be compensated in an amount equal to the compensation which would have been received by the member under this subsection, if living. Any such surviving spouse of a member who dies while entitled to payments under this subsection shall succeed to the full amount of payment under this subsection to which such member was entitled at the time of such member's death, including any cost-of-living adjustments received by such member in the payment under this subsection prior to such member's death. In all events, the term "member" shall not include any children of the member who would be entitled to receive part or all of the pension that would be received by a surviving spouse, if living.

5. A surviving spouse who is entitled to benefits under the provisions of subsection 1 of section 86.1240 as a result of the death prior to August 28, 2007, of a member in service, and who is receiving benefits from the retirement system, shall, upon application to the retirement board, be retained as a consultant, and for such services such surviving spouse shall receive each month an equalizing supplemental compensation of ten dollars per month. A surviving spouse entitled to benefits under the provisions of subsection 1 of section 86.1240 as a result of the death of a member in service on or after August 28, 2007, shall receive each month an equalizing supplemental benefit of ten dollars per month. All benefits payable to a surviving spouse under this subsection shall be in addition to all other benefits to which such surviving spouse may be entitled under other provisions of sections 86.900 to 86.1280 and shall in no way have the effect of reducing benefits otherwise payable to such surviving spouse. The amount of equalizing supplemental benefit or equalizing supplemental compensation under this subsection may be adjusted by cost-of-living adjustments, determined by the retirement board not more frequently than annually, but in no event shall the aggregate of such equalizing supplemental benefit or compensation together with all such cost-of-living adjustments thereto exceed twenty-five percent of the base pension of the surviving spouse. Each cost-of-living adjustment to an equalizing supplemental benefit or compensation under this subsection shall be determined independently of any cost-of-living adjustment to any other benefit under sections 86.900 to 86.1280. In all events the term "surviving spouse" as used in this subsection shall not include any children of the member who would be entitled to receive part or all of the pension that would be received by a surviving spouse, if living.

6. In determining and granting the cost-of-living adjustments under this section, the retirement board shall adopt such rules and regulations as may be necessary to effectuate the purposes of this section, including provisions for the manner of computation of such adjustments and the effective dates thereof. The retirement board shall provide for such adjustments to be determined once each year and granted on a date or dates to be

chosen by the board. The retirement board shall not be required to prorate the initial adjustment to any benefit or compensation under this section for any member.

[5.] 7. The determination of whether the retirement system will remain actuarially sound shall be made at the time any cost-of-living adjustment under this section is granted. If at any time the retirement system ceases to be actuarially sound, [supplemental retirement] **any** benefit [payments under subsection 1 of this section and supplemental] **or** compensation payments [as a consultant under subsection 2 of] **provided under** this section shall continue as adjusted by increases or decreases theretofore granted. A member of the retirement board shall have no personal liability for granting increases under this section if that retirement board member in good faith relied and acted upon advice of a qualified actuary that the retirement system would remain actuarially sound.

86.1600. 1. Any member who retires subsequent to August 28, 1997, **and on or before August 28, 2007**, with entitlement to a pension under sections 86.1310 to 86.1640, **and any member who retires subsequent to August 28, 2007, with entitlement to a pension under sections 86.1310 to 86.1640 and who either has at least fifteen years of creditable service or is retired under subsection 1 of section 86.1560**, shall receive each month, in addition to such member's base pension and cost-of-living adjustments thereto under section 86.1590, and in addition to any other compensation or benefit to which such member may be entitled under sections 86.1310 to 86.1640, a supplemental retirement benefit of fifty dollars per month. The amount of such supplemental retirement benefit may be adjusted by cost-of-living adjustments determined by the retirement board not more frequently than annually. [Such determination shall be based on advice of the plan's actuary that the increase in the benefit will not cause the present value of anticipated future plan benefits, calculated on the actuarial assumptions used for the most recent annual valuation, to exceed the sum of the trust fund assets plus the present value of anticipated contributions to the trust fund.]

2. Any member who was retired on or before August 28, 1997, and is receiving retirement benefits from the retirement system shall, upon application to the retirement board, be retained as a consultant, and for such services such member shall receive each month, in addition to such member's base pension and cost-of-living adjustments thereto under section 86.1590, and in addition to any other compensation or benefit to which such member may be entitled under sections 86.1310 to 86.1640, a supplemental compensation in the amount of fifty dollars per month. This appointment as a consultant shall in no way affect any member's eligibility for retirement benefits under the provisions of sections 86.1310 to 86.1640, or in any way have the effect of reducing retirement benefits otherwise payable to such member. The amount of such supplemental compensation under this subsection may be adjusted by cost-of-living adjustments determined by the retirement board not more frequently than annually. [Such determination shall be based on advice of the plan's actuary that the increase in the benefit will not cause the present value of anticipated future plan benefits, calculated on the actuarial assumptions used for the most recent annual valuation, to exceed the sum of the trust fund assets plus the present value of anticipated contributions to the trust fund.]

3. In determining and granting the cost-of-living adjustments under this section, the retirement board shall adopt such rules and regulations as may be necessary to effectuate the purposes of this section, including provisions for the manner of computation of such adjustments and the effective dates thereof. The retirement board shall provide for such adjustments to be determined once each year and granted on a date or dates to be chosen by the board. The retirement board shall not be required to prorate the initial adjustment to any supplemental retirement benefit or any supplemental compensation under this section for any member.

4. For purposes of subsections 1 and 2 of this section, the term "member" shall include a surviving spouse who is entitled to a benefit under sections 86.1310 to 86.1640, who shall be deemed to have retired for purposes of this section on the date of retirement of the member of whom such person is the surviving spouse or on the date of death of such member if such member died prior to retirement; **provided, that no benefits shall be payable under this section to the surviving spouse of any member who died while in active service after August 28, 2007, unless such death occurred in the line of duty or course of employment or as the result of an injury or illness incurred in the line of duty or course of employment or unless such member had at least fifteen years of creditable service. The surviving spouse of a member who died in service after August 28, 2007, whose death occurred in the line of duty or course of employment or as the result of an injury or illness incurred in the line of duty or course of employment shall be entitled to benefits under subsection 1 of this section without regard to such member's years of creditable service.** All benefits payable to a surviving spouse under this section shall be in addition to all other benefits to which such surviving spouse may be entitled under other provisions of sections 86.1310 to 86.1640. Any [such] **qualifying** surviving spouse of a member who dies while entitled to payments under this section shall succeed to the full amount of payment under this section to which such member was entitled at the time of such member's death,

including any cost-of-living adjustments received by such member in the payment under this section prior to such member's death.

5. The determination of whether the retirement system will remain actuarially sound shall be made at the time any cost-of-living adjustment under this section is granted. If at any time the retirement system ceases to be actuarially sound, supplemental retirement benefit payments under subsection 1 of this section and supplemental compensation payments as a consultant under subsection 2 of this section shall continue as adjusted by increases or decreases theretofore granted. A member of the retirement board shall have no personal liability for granting increases under this section if that retirement board member in good faith relied and acted upon advice of a qualified actuary that the retirement system would remain actuarially sound."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Flook, **House Amendment No. 6** was adopted.

Representative Harris (23) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 8, Section 104.010, Line 190, by inserting after all of said line the following:

"3. Notwithstanding any other provision of law, the board of trustees shall not invest in or administer any benefit plan that contains equities, bonds, or any other ownership interests in any company or business entity incorporated or having any physical location whatsoever in the country of Sudan, or in any company or business entity that conducts business with another business entity incorporated or having any physical location whatsoever in the county of Sudan. This provision should remain in effect only insofar as it continues to be consistent with, and does not unduly interfere with, the foreign policy of the United States as determined by the federal government."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Yates offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

*House Substitute Amendment No. 1
for
House Amendment No. 7*

AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 8, Section 104.010, Line 190, by inserting after all of said line the following:

"3. Notwithstanding any other provision of law, the board of trustees shall immediately enact all necessary provisions and take all necessary actions to ensure that no public funds are invested in entities that have direct financial relationships with the U.S. State Department-designated terrorist-sponsoring states, and to replace any holdings that are divested with comparable investments. This in no way shall apply to any company that is providing humanitarian aid for the citizens of these nations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris (23) offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 7**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 7

AMEND House Substitute Amendment No. 1 for House Amendment No. 7 to House Committee Substitute No. 2 for Senate Bill No. 406, Page 1, Section 104.010, Line 8, by inserting after the word "nations.", the following:

"This provision should remain in effect only insofar as it continues to be consistent with, and does not unduly interfere with, the foreign policy of the United States as determined by the federal government.".

On motion of Representative Harris (23), **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

On motion of Representative Yates, **House Substitute Amendment No. 1 for House Amendment No. 7, as amended**, was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Funderburk	Haywood	Marsh	Stevenson
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On motion of Representative Wallace, **HCS#2 SB 406, as amended**, was adopted.

On motion of Representative Wallace, **HCS#2 SB 406, as amended**, was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Funderburk	Haywood	Lowe 44	Marsh
Stevenson	Wasson			

Representative Muschany declared the bill passed.

SCS SB 46, relating to a Faith-Based Organization Liaison Act, was again taken up by Representative Grisamore.

Representative Jones (89) assumed the Chair.

Representative Muschany resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Grisamore	Guest	Haywood	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 069

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

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ABSENT WITH LEAVE: 006

Brown 30	Bruns	Dougherty	Funderburk	Marsh
Stevenson				

On motion of Representative Grisamore, **SCS SB 46** was truly agreed to and finally passed by the following vote:

AYES: 122

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fisher	Franz	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Zweifel	Mr Speaker			

NOES: 027

Baker 25	Bowman	Burnett	Darrough	Daus
Dougherty	Flook	Frame	George	Haywood
Kratky	Low 39	Lowe 44	Oxford	Salva
Schoemehl	Skaggs	Talboy	Villa	Vogt
Walsh	Whorton	Wildberger	Wright-Jones	Yaeger
Young	Zimmerman			

PRESENT: 006

Brown 50	Fares	Johnson	Meadows	Roorda
Rucker				

ABSENT WITH LEAVE: 008

Bland	Brown 30	Bruns	Funderburk	Hughes
Marsh	McClanahan	Stevenson		

Representative Muschany declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

HB 574, with Senate Amendment No. 1 and Senate Amendment No. 3, relating to law enforcement system records, was taken up by Representative St. Onge.

Representative St. Onge moved that the House refuse to concur in **Senate Amendment No. 1** and **Senate Amendment No. 3** to **HB 574** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS HB 665, as amended, relating to the preservation of county documents, was taken up by Representative Ervin.

Representative Ervin moved that the House refuse to adopt **SS HB 665, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 132**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 140**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SS#6 SCS SB 389**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 44**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 11**, begs leave to report it has examined the same and recommends that it **Do Not Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 869**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1052**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1272**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 54**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 86**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 171**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 255, 249 & 279**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 309**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 315**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 325**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 369 and SB 550**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 417**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 419**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 433**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 497**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 582**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 205**, entitled:

An act to repeal sections 67.1360, 67.2500, 67.2510, 89.010, 89.400, and 620.467, RSMo, and section 67.2505 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161 merged with house substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and section 67.2505, as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 833 merged with house committee substitute for senate substitute for senate bill no 732, ninety-second general assembly, second regular session, and to enact in lieu thereof seven new sections relating to the promotion of tourism.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 205, Page 2, Section A, Line 1, by inserting immediately after all of said line the following:

"67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section, less one-half the cost of collection shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under this section, less one-half the cost of collection shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a sales tax at a rate of (insert rate of percent) percent, with half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund senior services provided by the county and half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following the approval of the tax or notification to the department of revenue administered by the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible

for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087, RSMo, shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Senior Services and Youth Programs Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285, RSMo, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525, RSMo, governing the state sales tax, and section 32.057, RSMo, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525, RSMo, are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525, RSMo, for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057, RSMo, and sections 144.010 to 144.525, RSMo, are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525, RSMo.

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-

first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures, and all other necessary functions of the commission."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Bill No. 205, Page 21, Section 89.400, Line 14, by inserting after all of said line the following:

"94.870. In addition to all other taxes prescribed by law, the governing body of any municipality of the third classification with a population of at least fifteen thousand but not more than eighteen thousand inhabitants located within a county with a population of at least thirty-five thousand but not more than forty-five thousand inhabitants which has a total assessed valuation of at least two hundred seventy-five million dollars but not more than three hundred twenty-five million dollars, the governing body of any county with a population of at least twenty thousand but not more than twenty-five thousand which has a total assessed valuation of at least one hundred twenty million dollars but not more than one hundred forty million dollars **or any municipality located in such county** and the governing body of any county with a population of at least twenty-eight thousand but not more than thirty-one thousand which has a total assessed valuation of at least two hundred fifty-five million dollars or any municipality located in such county and the governing body of any county with a population of at least twenty-five thousand but not more than thirty thousand which has a total assessed valuation of at least two hundred million dollars but not more than two hundred five million dollars or any municipality located in such county, or any city located partially but not wholly within a county of the third classification with a population of at least thirty-nine thousand inhabitants may impose, by ordinance or order, a tax on the price paid or charged to any person for rooms or accommodations paid by transient guests of hotels, motels, condominium units, campgrounds, and tourist courts situated within the political subdivision, at a rate not to exceed four percent of such price paid or charged. As used in this section, the term "hotel", "motel", or "tourist court" means any structure or building, under one management, which contains rooms furnished for the accommodation or lodging of guests, with or without meals being provided, including bed and breakfast facilities, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests, and the term "campground" means real property, other than state-owned property, which contains parcels for rent to transient guests for pay or compensation, which may include temporary utility hook-ups for use by the transient guests, and where such transient guests generally use tents, recreational vehicles or some other form of temporary shelter while on the rented premises. Shelters for the homeless operated by not-for-profit organizations are not a hotel, motel, or tourist court for the purposes of this section. As used in this section, the term "transient guest" means a person who occupies a room or rooms in a hotel, motel, campground, or tourist court for thirty consecutive days or less.

94.875. All taxes authorized and collected under sections 94.870 to 94.881 shall be deposited by the political subdivision in a special trust fund to be known as the "Tourism Tax Trust Fund". The moneys in such tourism tax trust fund shall not be commingled with any other funds of the political subdivision except as specifically provided in this section. The taxes collected [shall] **may** be used, upon appropriation by the political subdivision, [solely] for the purpose of constructing, maintaining, or operating convention and tourism facilities[, and at least twenty-five percent of such taxes collected shall be used for tourism marketing and promotional purposes]; except that in any city with a population of less than [one] **seven** thousand five hundred inhabitants, forty percent of such taxes collected may be transferred to such city's general revenue fund and the remaining thirty-five percent may be used for city capital improvements, pursuant to voter approval. The moneys in the tourism tax trust fund of any city with a population of at least fifteen thousand located partially but not wholly within a county of the third classification with a population of at least thirty-nine thousand inhabitants shall be used solely for tourism marketing and promotional purposes. The tax authorized by section 94.870 shall be in addition to any and all other sales taxes allowed by law, but no ordinance or order imposing a tax under section 94.870 shall be effective unless the governing body of the political subdivision submits to the voters of the political subdivision at a municipal or state general, primary, or special election a proposal to authorize the governing body of the political subdivision to impose such tax."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 352**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 428**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 467**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 740**, entitled:

An act to authorize the conveyance of state property.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Wildberger is no longer a member of the Conference Committee on SCS HCS HB 8 and the Conference Committee on SCS HCS HB 9.

Representative Brown (50) has been appointed a member of the Conference Committee on SCS HCS HB 8.

Representative Johnson has been appointed a member of the Conference Committee on SCS HCS HB 9.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

May 1, 2007

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
94th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **Senate Substitute for House Committee Substitute for House Bill No. 453** entitled:

"AN ACT"

To repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

On May 1, 2007, I approved said **Senate Substitute for House Committee Substitute for House Bill No. 453**.

Respectfully submitted,

/s/ Matt Blunt
Governor

RECESS

Representative Dempsey moved the House stand in recess until the Conference Committee Report on **SS SCS HCS HB 327, as amended**, has been distributed, and then stand adjourned until 10:00 a.m., Wednesday, May 2, 2007.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 327**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, with Senate Amendment Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, Senate Substitute Amendment No. 1 for Senate Amendment No. 22, 23, 24, 25, Senate Amendment No. 2 to Senate Amendment No. 27, Senate Amendment No. 27 as amended, 28, and 29, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 327;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Ron Richard
/s/ Ed Robb
/s/ Rod Jetton
/s/ Fred Kratky
/s/ Clint Zweifel

FOR THE SENATE:

/s/ Chris Koster
/s/ Jason Crowell
/s/ Victor Callahan
/s/ Harry Kennedy

ADJOURNMENT

Pursuant to the motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, May 2, 2007.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fourth Day, Thursday, April 26, 2007, Page 1358, Lines 34 and 35, by deleting all of said lines and inserting in lieu thereof the following:

"AMEND House Committee Substitute No. 2 for Senate Bill No. 406, Page 2, Section 87.006, Line 21, by inserting after said line the following:"

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, May 3, 2007, 8:00 a.m. Hearing Room 6.
Executive session.

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, May 2, 2007, 8:00 a.m. Senate Lounge.
Executive session may follow.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3,
SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8,
SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 3, 2007, 8:00 a.m. Senate Lounge.
Executive session may follow.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3,
SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8,
SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

CONFERENCE COMMITTEE - APPROPRIATIONS

Friday, May 4, 2007, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, May 8, 2007, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: HB 1232

FISCAL REVIEW

Thursday, May 3, 2007, 9:00 a.m. Hearing Room 1.

Any bills referred to Fiscal Review Committee.

JUDICIARY

Thursday, May 3, 2007, House Chamber south gallery upon morning adjournment.

Executive session only.

LOCAL GOVERNMENT

Wednesday, May 2, 2007, 12:30 p.m. Hearing Room 1.

Executive session on bills previously heard in committee.

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, May 2, 2007, 1:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HCS HB 886, HCS#2 HB 406 & 726, SS#6 SCS SB 389, HCS SCS SB 47

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, May 2, 2007, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: SB 323

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, May 2, 2007, 9:30 a.m. Hearing Room 7.

Executive session. AMENDED

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Wednesday, May 2, 2007, Hearing Room 3 upon morning recess.

A draft HCS will be considered.

For further information, please contact rob.schaaf@house.mo.gov.

Meeting may be continued upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearing to be held on: SS SCS SB 577

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, May 2, 2007, Hearing Room 7 upon afternoon recess.

Executive session may follow.

Public hearing to be held on: HB 991

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, May 3, 2007, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: SCS SB 664

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, May 3, 2007, 9:00 a.m. Hearing Room 4. AMENDED

Executive session will be held on: HB 354

SPECIAL COMMITTEE ON UTILITIES

Wednesday, May 2, 2007, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1164, SS SCS SBs 49, 65, 210 & 251, SS SB 40

SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, May 2, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: SS SCS SB 668

HOUSE CALENDAR

SIXTY-SEVENTH DAY, WEDNESDAY, MAY 2, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz

- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821 - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HB 758 - Brown (50)
- 59 HCS HB 425 - Pearce
- 60 HCS HB 429 - Jones (117)
- 61 HCS HB 716 - Davis
- 62 HCS HB 95 - Sater
- 63 HB 479 - Darrough
- 64 HB 733 - Page
- 65 HCS HB 769 - Bruns
- 66 HCS HB 802 - Page
- 67 HB 1155 - Wright-Jones
- 68 HCS HB 442 - Kingery
- 69 HB 727 - Portwood
- 70 HB 888 - Grisamore
- 71 HCS HB 923 - Kratky
- 72 HB 1251 - Komo
- 73 HCS HB 331 - Lipke
- 74 HCS#2 HB 735 - Cooper (158)

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75 HCS HB 833 - Wasson

76 HB 1104 - Hughes

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 272 - Wasson
- 2 SB 407 - Deeken
- 3 HCS SB 322 - Cooper (158)
- 4 HCS SB 166 - Wood
- 5 SB 172 - Flook
- 6 HCS SB 270 - Jones (117)
- 7 HCS SCS SB 288, SB 152 & SCS SB 115, E.C. - Robinson
- 8 SB 298 - Schaaf
- 9 SCS SB 397 - Schaaf
- 10 HCS SB 127 - Schlottach

SENATE BILLS FOR THIRD READING

- 1 HCS SB 84 - Franz
- 2 SCS SB 91 - St. Onge
- 3 SB 135 - Kingery
- 4 HCS SCS SB 232 - Cooper (158)
- 5 HCS SCS SB 384, E.C. - Daus
- 6 HCS SCS SB 520 - Hunter
- 7 SB 352 - Ruzicka
- 8 HCS SCS SB 82, (Fiscal Review 4-24-07) - Tilley (90 minute debate on Third Reading)
- 9 HCS SB 593 & SCS SB 594 - May

- 10 SB 648 - Kelly
- 11 HCS SB 666 - Grill
- 12 HCS SCS SB 156, (Fiscal Review 4-26-07), E.C. - Quinn (7) (90 minute debate on Third Reading)
- 13 HCS SS SCS SB 320 - Quinn (7)
- 14 SCS SB 418, (Fiscal Review 4-26-07) - Weter
- 15 SB 513 - Wasson

SENATE BILL FOR THIRD READING - REVISION

HCS SRB 613 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 HB 56, SA 1 - Sater
- 3 HCS HB 616, SA 1 - Wood
- 4 SCS HB 684, as amended, E.C. - Bruns
- 5 SCS HCS HB 795, as amended - Flook
- 6 SCS HCS HB 18 - Icet
- 7 SCS HCS HB 426 - Parson
- 8 SCS HCS HB 17 - Icet
- 9 SS HB 205, as amended - Marsh
- 10 SS SCS HB 740 - Pearce

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 64, as amended (request House recede/grant conference), E.C. - Wallace
- 2 HCS SB 81, as amended (request House recede/grant conference), E.C. - Schlottach
- 3 HCS SCS SB 198, (request House recede/grant conference) - Pollock
- 4 HCS SB 25, as amended (request House recede/grant conference) - Franz
- 5 HB 574, SA 1, SA 3 (request Senate recede/grant conference), E.C. - St. Onge
- 6 SS HB 665, as amended (request Senate recede/grant conference) - Ervin

BILLS IN CONFERENCE

- 1 CCR SS SCS HCS HB 327, E.C. - Richard
- 2 HCS SB 30, as amended - Stevenson
- 3 HCS SCS SB 308, as amended - Wasson
- 4 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 5 SCS HB 1 - Icet
- 6 SCS HCS HB 2 - Icet
- 7 SCS HCS HB 3 - Icet
- 8 SCS HCS HB 4 - Icet
- 9 SCS HCS HB 5 - Icet
- 10 SCS HCS HB 6 - Icet
- 11 SCS HCS HB 7 - Icet
- 12 SCS HCS HB 8 - Icet
- 13 SCS HCS HB 9 - Icet
- 14 SCS HCS HB 10 - Icet
- 15 SCS HCS HB 11, as amended - Icet
- 16 SCS HCS HB 12 - Icet
- 17 SCS HCS HB 13 - Icet

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 18, (3-12-07, Page 892) - Deeken
- 2 SCS SCR 5, (3-01-07, Page 529) - Threlkeld

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, WEDNESDAY, MAY 2, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

You, LORD, are an eternal God, the creator of the whole earth. You do not get tired or weary; there is no limit to Your wisdom. You give strength to those who are tired; to the ones who lack power, You give renewed energy.

As the days are numbered before the end of this session, we reflect on the sacrifices that were made by family members, friends, staff and supporters. We thank You for putting them in our lives and for the wise counsel, tireless efforts, experience and knowledge they provide each day. Their contributions and commitment have allowed us to give focused attention to our part in legislative process.

With Your wisdom comes insight and knowledge and sound judgment. We, with Your help, continue to apply these resources to our lives and daily activities.

Now may You, God of all hope, fill us with all joy and peace in believing, so that we would abound in hope by the power of Your Spirit.

We ask these things in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lara Yeast, Hunter Leake, Mark Hoeman, Spencer Hesse, Katherine McAlister, Kris McAllister and Izet Porobic.

The Journal of the sixty-sixth day was approved as corrected.

Representative Cooper (120) assumed the Chair.

BILL IN CONFERENCE

CCR SS SCS HCS HB 327, relating to job development, was taken up by Representative Richard.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grisamore	Guest
Hobbs	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 068

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 003

Brown 30	Funderburk	Marsh
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On motion of Representative Richard, **CCR SS SCS HCS HB 327** was adopted by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120

Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 009

Bringer	Daus	Frame	Harris 110	Low 39
Lowe 44	McClanahan	Nasheed	Oxford	

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 004

Brown 30	Funderburk	Jones 117	Marsh
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On motion of Representative Richard, **CCS SS SCS HCS HB 327** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
George	Grill	Grisamore	Guest	Harris 23
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89

Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Bringer	Daus	Frame	Harris 110	Low 39
Lowe 44	McClanahan	Nasheed	Oxford	

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 007

Brown 30	Denison	Dougherty	Funderburk	Haywood
Kuessner	Marsh			

Representative Cooper (120) declared the bill passed.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SB 30: Representatives Stevenson, Sutherland, Cooper (120), Bringer and Zweifel

Representative Cooper (120) resumed the Chair.

MOTION

Representative Dempsey moved that Rule 23 be suspended for the purpose of allowing the Conference Committees on **House Bill No. 1** through **House Bill No. 13** to meet during session.

Which motion was adopted by the following vote:

AYES: 129

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Flook	Franz	Grill	Grisamore
Guest	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Lembke
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 021

Burnett	Daus	Frame	George	Harris 23
Harris 110	Holsman	Hughes	Johnson	Lampe
LeVota	Low 39	Norr	Oxford	Roorda
Skaggs	Swinger	Talboy	Vogt	Walsh
Witte				

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 30	Deeken	Dougherty	El-Amin	Fisher
Funderburk	Haywood	Kuessner	Liese	Lowe 44
Marsh	Salva	Wildberger		

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

Representative Muschany assumed the Chair.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 64, as amended, relating to elementary and secondary education, was taken up by Representative Wallace.

Representative Wallace moved that the House refuse to recede from its position on **HCS SCS SB 64, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 81, as amended, relating to tourism and economic development, was taken up by Representative Schlottach.

Representative Schlottach moved that the House refuse to recede from its position on **HCS SB 81, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 198, relating to the use of lands, was taken up by Representative Pollock.

Representative Pollock moved that the House refuse to recede from its position on **HCS SCS SB 198**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 25, as amended, relating to child abuse investigations, was taken up by Representative Franz.

Representative Franz moved that the House refuse to recede from its position on **HCS SB 25, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS - CONSENT

HCS SCS SB 272, relating to professional registration, was taken up by Representative Wasson.

On motion of Representative Wasson, **HCS SCS SB 272** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs

Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Brown 50	Funderburk	Harris 23
Richard	Wildberger			

Representative Muschany declared the bill passed.

SB 407, relating to public water supply districts, was taken up by Representative Deeken.

On motion of Representative Deeken, **SB 407** was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee

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Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Funderburk	Harris 23	Richard	Wildberger
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Representative Muschany declared the bill passed.

Representative Nieves assumed the Chair.

HCS SB 322, relating to construction-related activities, was taken up by Representative Cooper (158).

On motion of Representative Cooper (158), **HCS SB 322** was read the third time and passed by the following vote:

AYES: 112

Aull	Avery	Baker 123	Bearden	Bivins
Bowman	Brandom	Brown 50	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Grill	Grisamore
Guest	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Lembke	Liese	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Talboy	Thomson	Tilley	Viebrock

Wallace	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 044

Baker 25	Bland	Bringer	Burnett	Casey
Curls	Darrough	Daus	Dethrow	Donnelly
Frame	George	Harris 23	Harris 110	Hodges
Holsman	Johnson	Kuessner	Lampe	LeVota
Lowe 44	McClanahan	Meadows	Norr	Oxford
Quinn 9	Robinson	Roorda	Salva	Scavuzzo
Schoemehl	Shively	Skaggs	Sutherland	Threlkeld
Todd	Villa	Vogt	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 006

Brown 30	Bruns	Funderburk	Low 39	Wasson
Wildberger				

Representative Nieves declared the bill passed.

HCS SB 166, relating to tourism, was taken up by Representative Wood.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Schamhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

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NOES: 068

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Bruns	Funderburk	Wildberger
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On motion of Representative Wood, **HCS SB 166** was read the third time and passed by the following vote:

AYES: 113

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Brown 50	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Franz
Grill	Grisamore	Guest	Haywood	Hobbs
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Kratky
Lembke	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Young	Mr Speaker		

NOES: 046

Baker 25	Bland	Bowman	Bringer	Burnett
Casey	Corcoran	Cunningham 86	Curls	Donnelly
Dusenberg	Fallert	Flook	Frame	George

Harris 23	Harris 110	Hodges	Holsman	Hughes
Komo	Kraus	Kuessner	Lampe	LeVota
Low 39	McClanahan	Meadows	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Vogt	Yaeger	Yates	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Bruns	Funderburk	Wildberger
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Representative Nieves declared the bill passed.

HCS SB 270, relating to peace officer standards and training, was taken up by Representative Jones (117).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Cooper 120	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 070

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng

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Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Cooper 155	Funderburk	Wildberger
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On motion of Representative Jones (117), **HCS SB 270** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 30	Bruns	Cooper 155	Funderburk	Wildberger
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Representative Nieves declared the bill passed.

Speaker Jetton resumed the Chair.

SIGNING OF SENATE BILL

All other business of the House was suspended while **CCS HCS SB 376** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Representative Nieves resumed the Chair.

THIRD READING OF SENATE BILLS - CONSENT

HCS SCS SB 288, SB 152 & SCS SB 115, relating to land conveyances, was taken up by Representative Robinson.

On motion of Representative Robinson, **HCS SCS SB 288, SB 152 & SCS SB 115** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

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NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker 123	Brown 30	Bruns	Cooper 155	Funderburk
Schaaf	Wildberger			

Representative Nieves declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 003

George	Talboy	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Bruns	Cooper 155	Funderburk	Meadows
Wasson	Wildberger			

SB 298, relating to hospital district directors, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **SB 298** was truly agreed to and finally passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 001

Skaggs

ABSENT WITH LEAVE: 003

Brown 30	Funderburk	Wildberger
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Representative Nieves declared the bill passed.

SCS SB 397, relating to long-term care facilities licensure, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **SCS SB 397** was truly agreed to and finally passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Funderburk	Lowe 44	Wildberger
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Representative Nieves declared the bill passed.

HCS SB 127, relating to the Department of Transportation and Highway Patrol Retirement System, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS SB 127** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hubbard	Hunter
Iceet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Burnett	Hughes	Low 39	Oxford	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Fallert	Funderburk	Hoskins	Lowe 44
Meadows	Schneider	Wasson	Wildberger	

Representative Nieves declared the bill passed.

SB 172, relating to the Kansas City Police Retirement System, was taken up by Representative Flook.

On motion of Representative Flook, **SB 172** was truly agreed to and finally passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30	Funderburk	Hoskins	Wildberger
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Representative Nieves declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the **CCR on SS SCS HCS HB 327, as amended**, and requests the House grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 576**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 791**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to the provision of certain claims information by health carriers.

In which the concurrence of the House is respectfully requested.

BILL CARRYING REQUEST MESSAGE

CCS SS SCS HCS HB 327, as amended, relating to job development, was taken up by Representative Richard.

Representative Richard moved that the House refuse to grant the Senate a further conference on **SS SCS HCS HB 327, as amended**, and request the Senate to take up and adopt the Conference Committee Report on **SS SCS HCS HB 327, as amended**, and Third Read and Finally Pass **CCS SS SCS HCS HB 327**.

Which motion was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Daus Nasheed Oxford Vogt

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown 30 Funderburk Hoskins Wildberger

On motion of Representative Dempsey, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2975 through House Resolution No. 3106

THIRD READING OF SENATE BILL

HCS SCS SB 82, relating to motor vehicles, was taken up by Representative Tilley.

HCS SCS SB 82 was laid over.

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HB 616, with Senate Amendment No. 1, relating to county boards of equalization, was taken up by Representative Wood.

On motion of Representative Wood, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 140

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hodges	Holsman
Hughes	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Lochner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo

Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 002

Bringer Wallace

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Bland	Bowman	Brown 30	Cooper 120
Corcoran	Curls	El-Amin	Funderburk	Haywood
Hobbs	Hoskins	Hubbard	Hunter	Kratky
Marsh	Meiners	Page	Vogt	Wildberger
Young				

On motion of Representative Wood, **HCS HB 616, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hodges
Holsman	Hughes	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119

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Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 002

Bringer	Wallace
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PRESENT: 000

ABSENT WITH LEAVE: 021

Bland	Bowman	Brown 30	Cooper 120	Corcoran
Curls	El-Amin	Funderburk	Haywood	Hobbs
Hoskins	Hubbard	Hunter	Kratky	Marsh
Meiners	Robinson	Salva	Vogt	Wildberger
Young				

Speaker Jetton declared the bill passed.

Representative Muschany resumed the Chair.

HB 56, with Senate Amendment No. 1, relating to a memorial bridge and memorial highways, was taken up by Representative Sater.

On motion of Representative Sater, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 126

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hodges	Holsman
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Loehner
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Pearce	Portwood	Pratt	Quinn 9	Richard
Robb	Robinson	Roorda	Ruestman	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Walsh	Walton	Wasson
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 023

Burnett	Cooper 120	Daus	Frame	Harris 110
Kuessner	Low 39	Lowe 44	Meadows	Parson
Pollock	Quinn 7	Rucker	Sander	Schoemehl
Skaggs	Spreng	Talboy	Vogt	Wallace
Wells	Whorton	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bowman	Brown 30	Curls	Dougherty	El-Amin
Funderburk	Hobbs	Hoskins	Hubbard	Kratky
Lipke	Marsh	Wildberger	Wright 159	

On motion of Representative Sater, **HB 56, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Aull	Avery	Baker 25	Bearden	Bivins
Brandom	Bringer	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Haywood	Hodges	Holsman	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Pearce
Portwood	Pratt	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Walsh	Walton	Wasson	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 019

Baker 123	Burnett	Cooper 120	Daus	Ervin
Harris 110	Hunter	Low 39	Parson	Pollock
Quinn 7	Sander	Schoemehl	Skaggs	Spreng
Talboy	Vogt	Wallace	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Bowman	Brown 30	Curls	Denison
El-Amin	Funderburk	Hobbs	Hoskins	Hubbard
Kratky	Lipke	Marsh	McClanahan	Schad
Whorton	Wildberger			

Representative Muschany declared the bill passed.

PERFECTION OF HOUSE BILL

HB 758, relating to a credit for school student employers, was taken up by Representative Brown (50).

Representative Dixon assumed the Chair.

On motion of Representative Brown (50), **HB 758** was ordered perfected and printed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 684, as amended, relating to conveyances of property, was taken up by Representative Bruns.

On motion of Representative Bruns, **SCS HB 684, as amended**, was adopted by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter

Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Brown 30	El-Amin	Funderburk	Hobbs
Hoskins	Hubbard	Kratky	Marsh	Wildberger

On motion of Representative Bruns, **SCS HB 684, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Guest
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 013

Bowman	Brown 30	Burnett	El-Amin	Funderburk
Grisamore	Hobbs	Hoskins	Hubbard	Kingery
Kratky	Marsh	Wildberger		

Representative Dixon declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

NOES: 002

George	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 013

Bowman	Brown 30	El-Amin	Funderburk	Hobbs
Hoskins	Hubbard	Kratky	Marsh	Norr
Sutherland	Wildberger	Mr Speaker		

THIRD READING OF SENATE BILL

HCS SB 84, relating to the placement of children, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 84, Page 4, Section 210.487, Line 42, by inserting after all of said line the following:

"210.570. This interstate compact for juveniles is entered with all jurisdictions legally joining the compact in the form substantially as follows:

THE INTERSTATE COMPACT FOR JUVENILES

ARTICLE I

PURPOSE

The compacting states to this Interstate Compact recognize that each state is responsible for the proper supervision or return of juveniles, delinquents and status offenders who are on probation or parole and who have absconded, escaped or run away from supervision and control and in so doing have endangered their own safety and the safety of others. The compacting states also recognize that each state is responsible for the safe return of juveniles who have run away from home and in doing so have left their state of residence. The compacting states also recognize that Congress, by enacting the Crime Control Act, 4 U.S.C. Section 112 (1965), has authorized and encouraged compacts for cooperative efforts and mutual assistance in the prevention of crime.

It is the purpose of this compact, through means of joint and cooperative action among the compacting states to: (A) ensure that the adjudicated juveniles and status offenders subject to this compact are provided adequate supervision and services in the receiving state as ordered by the adjudicating judge or parole authority in the sending state; (B) ensure that the public safety interests of the citizens, including the victims of juvenile offenders, in both the sending and receiving states are adequately protected; (C) return juveniles who have run away, absconded or escaped from supervision or control or have been accused of an offense to the state requesting their return; (D) make contracts for the cooperative institutionalization in public facilities in member states for delinquent youth needing special services; (E) provide for the effective tracking and supervision of juveniles; (F) equitably allocate the costs, benefits and obligations of the compacting states; (G) establish procedures to manage the movement between states of juvenile offenders released to the community under the jurisdiction of courts, juvenile departments, or any other criminal or juvenile justice agency which has jurisdiction over juvenile offenders; (H) insure immediate notice to jurisdictions where defined offenders are authorized to travel or to relocate across state lines; (I) establish procedures to resolve pending charges (detainers) against juvenile offenders prior to transfer or release to the community under the terms of this compact; (J) establish a system of uniform data collection on information pertaining to juveniles subject to this compact that allows access by authorized juvenile justice and criminal justice officials, and regular reporting of Compact activities to heads of state executive, judicial, and legislative branches and juvenile and criminal justice administrators; (K) monitor compliance with rules governing interstate movement of juveniles and initiate interventions to address and correct non-compliance; (L) coordinate training and education regarding the regulation of interstate movement of juveniles for officials involved in such activity; and (M) coordinate the implementation and operation of the compact with the Interstate Compact for the Placement of Children, the Interstate Compact for Adult Offender Supervision and other compacts affecting juveniles particularly in those cases where concurrent or overlapping supervision issues arise. It is the policy of the compacting states that the activities conducted by the Interstate Commission created herein are the formation of public policies and therefore are public business. Furthermore, the compacting states shall cooperate and observe their individual and collective duties and responsibilities for

the prompt return and acceptance of juveniles subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the purposes and policies of the compact.

ARTICLE II

DEFINITIONS

As used in this compact, unless the context clearly requires a different construction:

A. "Bylaws" means: those bylaws established by the Interstate Commission for its governance, or for directing or controlling its actions or conduct.

B. "Compact Administrator" means: the individual in each compacting state appointed pursuant to the terms of this compact, responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this compact.

C. "Compacting State" means: any state which has enacted the enabling legislation for this compact.

D. "Commissioner" means: the voting representative of each compacting state appointed pursuant to Article III of this compact.

E. "Court" means: any court having jurisdiction over delinquent, neglected, or dependent children.

F. "Deputy Compact Administrator" means: the individual, if any, in each compacting state appointed to act on behalf of a Compact Administrator pursuant to the terms of this compact responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this compact.

G. "Interstate Commission" means: the Interstate Commission for Juveniles created by Article III of this compact.

H. "Juvenile" means: any person defined as a juvenile in any member state or by the rules of the Interstate Commission, including:

(1) Accused Delinquent - a person charged with an offense that, if committed by an adult, would be a criminal offense;

(2) Adjudicated Delinquent - a person found to have committed an offense that, if committed by an adult, would be a criminal offense;

(3) Accused Status Offender - a person charged with an offense that would not be a criminal offense if committed by an adult;

(4) Adjudicated Status Offender - a person found to have committed an offense that would not be a criminal offense if committed by an adult; and

(5) Non-Offender - a person in need of supervision who has not been accused or adjudicated a status offender or delinquent.

I. "Non-Compacting state" means: any state which has not enacted the enabling legislation for this compact.

J. "Probation or Parole" means: any kind of supervision or conditional release of juveniles authorized under the laws of the compacting states.

K. "Rule" means: a written statement by the Interstate Commission promulgated pursuant to Article VI of this compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the commission, and has the force and effect of statutory law in a compacting state, and includes the amendment, repeal, or suspension of an existing rule.

L. "State" means: a state of the United States, the District of Columbia (or its designee), the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands.

ARTICLE III

INTERSTATE COMMISSION FOR JUVENILES

A. The compacting states hereby create the "Interstate Commission for Juveniles." The commission shall be a body corporate and joint agency of the compacting states. The commission shall have all the responsibilities, powers and duties set forth herein, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states in accordance with the terms of this compact.

B. The Interstate Commission shall consist of commissioners appointed by the appropriate appointing authority in each state pursuant to the rules and requirements of each compacting state and in consultation with the State Council for Interstate Juvenile Supervision created hereunder. The commissioner shall be the compact administrator, deputy compact administrator or designee from that state who shall serve on the Interstate Commission in such capacity under or pursuant to the applicable law of the compacting state.

C. In addition to the commissioners who are the voting representatives of each state, the Interstate Commission shall include individuals who are not commissioners, but who are members of interested organizations. Such non-commissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general, Interstate Compact for Adult Offender Supervision, Interstate Compact for the Placement of Children, juvenile justice and juvenile corrections officials, and crime victims. All non-commissioner members of the Interstate Commission shall be ex-officio (non-voting) members. The Interstate Commission may provide in its bylaws for such additional ex-officio (non-voting) members, including members of other national organizations, in such numbers as shall be determined by the commission.

D. Each compacting state represented at any meeting of the commission is entitled to one vote. A majority of the compacting states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

E. The commission shall meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the compacting states, shall call additional meetings. Public notice shall be given of all meetings and meetings shall be open to the public.

F. The Interstate Commission shall establish an executive committee, which shall include commission officers, members, and others as determined by the bylaws. The executive committee shall have the power to act on behalf of the Interstate Commission during periods when the Interstate Commission is not in session, with the exception of rulemaking and/or amendment to the compact. The executive committee shall oversee the day-to-day activities of the administration of the compact managed by an executive director and Interstate Commission staff; administers enforcement and compliance with the provisions of the compact, its bylaws and rules, and performs such other duties as directed by the Interstate Commission or set forth in the bylaws.

G. Each member of the Interstate Commission shall have the right and power to cast a vote to which that compacting state is entitled and to participate in the business and affairs of the Interstate Commission. A member shall vote in person and shall not delegate a vote to another compacting state. However, a commissioner, in consultation with the state council, shall appoint another authorized representative, in the absence of the commissioner from that state, to cast a vote on behalf of the compacting state at a specified meeting. The bylaws may provide for members' participation in meetings by telephone or other means of telecommunication or electronic communication.

H. The Interstate Commission's bylaws shall establish conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure any information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.

I. Public notice shall be given of all meetings and all meetings shall be open to the public, except as set forth in the Rules or as otherwise provided in the Compact. The Interstate Commission and any of its committees may close a meeting to the public where it determines by two-thirds vote that an open meeting would be likely to:

1. Relate solely to the Interstate Commission's internal personnel practices and procedures;
2. Disclose matters specifically exempted from disclosure by statute;
3. Disclose trade secrets or commercial or financial information which is privileged or confidential;

4. Involve accusing any person of a crime, or formally censuring any person;
5. Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
6. Disclose investigative records compiled for law enforcement purposes;
7. Disclose information contained in or related to examination, operating or condition reports prepared by, or on behalf of or for the use of, the Interstate Commission with respect to a regulated person or entity for the purpose of regulation or supervision of such person or entity;
8. Disclose information, the premature disclosure of which would significantly endanger the stability of a regulated person or entity; or
9. Specifically relate to the Interstate Commission's issuance of a subpoena, or its participation in a civil action or other legal proceeding.

J. For every meeting closed pursuant to this provision, the Interstate Commission's legal counsel shall publicly certify that, in the legal counsel's opinion, the meeting may be closed to the public, and shall reference each relevant exemptive provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in any meeting and shall provide a full and accurate summary of any actions taken, and the reasons therefore, including a description of each of the views expressed on any item and the record of any roll call vote (reflected in the vote of each member on the question). All documents considered in connection with any action shall be identified in such minutes.

K. The Interstate Commission shall collect standardized data concerning the interstate movement of juveniles as directed through its rules which shall specify the data to be collected, the means of collection and data exchange and reporting requirements. Such methods of data collection, exchange and reporting shall insofar as is reasonably possible conform to up-to-date technology and coordinate its information functions with the appropriate repository of records.

ARTICLE IV

POWERS AND DUTIES OF THE INTERSTATE COMMISSION

The commission shall have the following powers and duties:

1. To provide for dispute resolution among compacting states.
2. To promulgate rules to effect the purposes and obligations as enumerated in this compact, which shall have the force and effect of statutory law and shall be binding in the compacting states to the extent and in the manner provided in this compact.
3. To oversee, supervise and coordinate the interstate movement of juveniles subject to the terms of this compact and any bylaws adopted and rules promulgated by the Interstate Commission.
4. To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process.
5. To establish and maintain offices which shall be located within one or more of the compacting states.
6. To purchase and maintain insurance and bonds.
7. To borrow, accept, hire or contract for services of personnel.
8. To establish and appoint committees and hire staff which it deems necessary for the carrying out of its functions including, but not limited to, an executive committee as required by Article III which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.
9. To elect or appoint such officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs relating to, inter alia, conflicts of interest, rates of compensation, and qualifications of personnel.
10. To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of it.
11. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use any property, real, personal, or mixed.

12. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal or mixed.

13. To establish a budget and make expenditures and levy dues as provided in Article VIII of this compact.

14. To sue and be sued.

15. To adopt a seal and bylaws governing the management and operation of the Interstate Commission.

16. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.

17. To report annually to the legislatures, governors, judiciary, and state councils of the compacting states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.

18. To coordinate education, training and public awareness regarding the interstate movement of juveniles for officials involved in such activity.

19. To establish uniform standards of the reporting, collecting and exchanging of data.

20. The Interstate Commission shall maintain its corporate books and records in accordance with the bylaws.

ARTICLE V

ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

Section A. Bylaws

1. The Interstate Commission shall, by a majority of the members present and voting, within twelve months after the first Interstate Commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including, but not limited to:

- a. Establishing the fiscal year of the Interstate Commission;
- b. Establishing an executive committee and such other committees as may be necessary;
- c. Provide for the establishment of committees governing any general or specific delegation of any authority or function of the Interstate Commission;
- d. Providing reasonable procedures for calling and conducting meetings of the Interstate Commission, and ensuring reasonable notice of each such meeting;
- e. Establishing the titles and responsibilities of the officers of the Interstate Commission;
- f. Providing a mechanism for concluding the operations of the Interstate Commission and the return of any surplus funds that may exist upon the termination of the Compact after the payment and/or reserving of all of its debts and obligations;
- g. Providing "start-up" rules for initial administration of the compact; and
- h. Establishing standards and procedures for compliance and technical assistance in carrying out the compact.

Section B. Officers and Staff

1. The Interstate Commission shall, by a majority of the members, elect annually from among its members a chairperson and a vice chairperson, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson or, in the chairperson's absence or disability, the vice-chairperson shall preside at all meetings of the Interstate Commission. The officers so elected shall serve without compensation or remuneration from the Interstate Commission; provided that, subject to the availability of budgeted funds, the officers shall be reimbursed for any ordinary and necessary costs and expenses incurred by them in the performance of their duties and responsibilities as officers of the Interstate Commission.

2. The Interstate Commission shall, through its executive committee, appoint or retain an executive director for such period, upon such terms and conditions and for such compensation as the Interstate Commission may deem appropriate. The executive director shall serve as secretary to the Interstate Commission, but shall not be a Member and shall hire and supervise such other staff as may be authorized by the Interstate Commission.

Section C. Qualified Immunity, Defense and Indemnification

1. The commission's executive director and employees shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided, that any such person shall not be protected from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

2. The liability of any commissioner, or the employee or agent of a commissioner, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. Nothing in this subsection shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

3. The Interstate Commission shall defend the executive director or the employees or representatives of the Interstate Commission and, subject to the approval of the Attorney General of the state represented by any commissioner of a compacting state, shall defend such commissioner or the commissioner's representatives or employees in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

4. The Interstate Commission shall indemnify and hold the commissioner of a compacting state, or the commissioner's representatives or employees, or the Interstate Commission's representatives or employees, harmless in the amount of any settlement or judgment obtained against such persons arising out of any actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

ARTICLE VI

RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

A. The Interstate Commission shall promulgate and publish rules in order to effectively and efficiently achieve the purposes of the compact.

B. Rulemaking shall occur pursuant to the criteria set forth in this article and the bylaws and rules adopted pursuant thereto. Such rulemaking shall substantially conform to the principles of the "Model State Administrative Procedures Act," 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000), or such other administrative procedures act, as the Interstate Commission deems appropriate consistent with due process requirements under the U.S. Constitution as now or hereafter interpreted by the U.S. Supreme Court. All rules and amendments shall become binding as of the date specified, as published with the final version of the rule as approved by the commission.

C. When promulgating a rule, the Interstate Commission shall, at a minimum:

1. publish the proposed rule's entire text stating the reason(s) for that proposed rule;
2. allow and invite any and all persons to submit written data, facts, opinions and arguments, which information shall be added to the record, and be made publicly available;
3. provide an opportunity for an informal hearing if petitioned by ten (10) or more persons; and
4. promulgate a final rule and its effective date, if appropriate, based on input from state or local officials, or interested parties.

D. Allow, not later than sixty days after a rule is promulgated, any interested person to file a petition in the United States District Court for the District of Columbia or in the Federal District Court where the Interstate Commission's principal office is located for judicial review of such rule. If the court finds that the Interstate Commission's action is not supported by substantial evidence in the rulemaking record, the court shall hold the rule unlawful and set it aside. For purposes of this subsection, evidence is substantial if it would be considered substantial evidence under the Model State Administrative Procedures Act.

E. If a majority of the legislatures of the compacting states rejects a rule, those states may, by enactment of a statute or resolution in the same manner used to adopt the compact, cause that such rule shall have no further force and effect in any compacting state.

F. The existing rules governing the operation of the Interstate Compact on Juveniles superseded by this act shall be null and void twelve (12) months after the first meeting of the Interstate Commission created hereunder.

G. Upon determination by the Interstate Commission that a state-of-emergency exists, it may promulgate an emergency rule which shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided hereunder shall be retroactively applied to said rule as soon as reasonably possible, but no later than ninety (90) days after the effective date of the emergency rule.

ARTICLE VII

OVERSIGHT, ENFORCEMENT AND DISPUTE RESOLUTION

BY THE INTERSTATE COMMISSION

Section A. Oversight

1. The Interstate Commission shall oversee the administration and operations of the interstate movement of juveniles subject to this compact in the compacting states and shall monitor such activities being administered in non-compacting states which may significantly affect compacting states.

2. The courts and executive agencies in each compacting state shall enforce this compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall be received by all the judges, public officers, commissions, and departments of the state government as evidence of the authorized statute and administrative rules. All courts shall take judicial notice of the compact and the rules. In any judicial or administrative proceeding in a compacting state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the Interstate Commission, it shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes.

Section B. Dispute Resolution

1. The compacting states shall report to the Interstate Commission on all issues and activities necessary for the administration of the compact as well as issues and activities pertaining to compliance with the provisions of the compact and its bylaws and rules.

2. The Interstate Commission shall attempt, upon the request of a compacting state, to resolve any disputes or other issues which are subject to the compact and which may arise among compacting states and between compacting and non-compacting states. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes among the compacting states.

3. The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact using any or all means set forth in Article XI of this compact.

ARTICLE VIII

FINANCE

A. The Interstate Commission shall pay or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.

B. The Interstate Commission shall levy on and collect an annual assessment from each compacting state to cover the cost of the internal operations and activities of the Interstate Commission and its staff which must be in a total amount sufficient to cover the Interstate Commission's annual budget as approved each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission, taking into consideration the population of each compacting state and the volume of interstate movement of juveniles in each compacting state and shall promulgate a rule binding upon all compacting states which governs said assessment.

C. The Interstate Commission shall not incur any obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit of any of the compacting states, except by and with the authority of the compacting state.

D. The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

ARTICLE IX

THE STATE COUNCIL

Each member state shall create a State Council for Interstate Juvenile Supervision. While each state may determine the membership of its own state council, its membership must include at least one representative from the legislative, judicial, and executive branches of government, victims groups, and the compact administrator, deputy compact administrator or designee. Each compacting state retains the right to determine the qualifications of the compact administrator or deputy compact administrator. Each state council will advise and may exercise oversight and advocacy concerning that state's participation in Interstate Commission activities and other duties as may be determined by that state, including but not limited to, development of policy concerning operations and procedures of the compact within that state.

ARTICLE X

COMPACTING STATES, EFFECTIVE DATE AND AMENDMENT

A. Any state, the District of Columbia (or its designee), the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands as defined in Article II of this compact is eligible to become a compacting state.

B. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than 35 of the states. The initial effective date shall be the later of July 1, 2004, or upon enactment into law by the 35th jurisdiction. Thereafter, it shall become effective and binding as to any other compacting state upon enactment of the compact into law by that state. The governors of non-member states or their designees shall be invited to participate in the activities of the Interstate Commission on a non-voting basis prior to adoption of the compact by all states and territories of the United States.

C. The Interstate Commission may propose amendments to the compact for enactment by the compacting states. No amendment shall become effective and binding upon the Interstate Commission and the compacting states unless and until it is enacted into law by unanimous consent of the compacting states.

ARTICLE XI

WITHDRAWAL, DEFAULT, TERMINATION AND JUDICIAL ENFORCEMENT

Section A. Withdrawal

1. Once effective, the compact shall continue in force and remain binding upon each and every compacting state; provided that a compacting state may withdraw from the compact by specifically repealing the statute which enacted the compact into law.

2. The effective date of withdrawal is the effective date of the repeal.

3. The withdrawing state shall immediately notify the chairperson of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall notify the other compacting states of the withdrawing state's intent to withdraw within sixty days of its receipt thereof.

4. The withdrawing state is responsible for all assessments, obligations and liabilities incurred through the effective date of withdrawal, including any obligations, the performance of which extend beyond the effective date of withdrawal.

5. Reinstatement following withdrawal of any compacting state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the Interstate Commission.

Section B. Technical Assistance, Fines, Suspension, Termination and Default

1. If the Interstate Commission determines that any compacting state has at any time defaulted in the performance of any of its obligations or responsibilities under this compact, or the bylaws or duly promulgated rules, the Interstate Commission may impose any or all of the following penalties:

a. Remedial training and technical assistance as directed by the Interstate Commission;

b. Alternative Dispute Resolution;

c. Fines, fees, and costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission; and

d. Suspension or termination of membership in the compact, which shall be imposed only after all other reasonable means of securing compliance under the bylaws and rules have been exhausted and the Interstate Commission has therefore determined that the offending state is in default. Immediate notice of suspension shall be given by the Interstate Commission to the Governor, the Chief Justice or the Chief Judicial Officer of the state, the Majority and Minority leaders of the defaulting state's legislature, and the state council. The grounds for default include, but are not limited to, failure of a compacting state to perform such obligations or responsibilities imposed upon it by this compact, the bylaws, or duly promulgated rules and any other grounds designated in commission bylaws and rules. The Interstate Commission shall immediately notify the defaulting state in writing of the penalty imposed by the Interstate Commission and of the default pending a cure of the default. The commission shall stipulate the conditions and the time period within which the defaulting state must cure its default. If the defaulting state fails to cure the default within the time period specified by the commission, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the compacting states and all rights, privileges and benefits conferred by this compact shall be terminated from the effective date of termination.

2. Within sixty days of the effective date of termination of a defaulting state, the commission shall notify the Governor, the Chief Justice or Chief Judicial Officer, the Majority and Minority Leaders of the defaulting state's legislature, and the state council of such termination.

3. The defaulting state is responsible for all assessments, obligations and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.

4. The Interstate Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon in writing between the Interstate Commission and the defaulting state.

5. Reinstatement following termination of any compacting state requires both a reenactment of the compact by the defaulting state and the approval of the Interstate Commission pursuant to the rules.

Section C. Judicial Enforcement

The Interstate Commission may, by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its offices, to enforce compliance with the provisions of the compact, its duly promulgated rules and bylaws, against any compacting state in default. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorneys fees.

Section D. Dissolution of Compact

1. The compact dissolves effective upon the date of the withdrawal or default of the compacting state, which reduces membership in the compact to one compacting state.

2. Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and any surplus funds shall be distributed in accordance with the bylaws.

ARTICLE XII

SEVERABILITY AND CONSTRUCTION

A. The provisions of this compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

B. The provisions of this compact shall be liberally construed to effectuate its purposes.

ARTICLE XIII

BINDING EFFECT OF COMPACT AND OTHER LAWS

Section A. Other Laws

1. Nothing herein prevents the enforcement of any other law of a compacting state that is not inconsistent with this compact.

2. All compacting states' laws other than state Constitutions and other interstate compacts conflicting with this compact are superseded to the extent of the conflict.

Section B. Binding Effect of the Compact

1. All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Interstate Commission, are binding upon the compacting states.

2. All agreements between the Interstate Commission and the compacting states are binding in accordance with their terms.

3. Upon the request of a party to a conflict over meaning or interpretation of Interstate Commission actions, and upon a majority vote of the compacting states, the Interstate Commission may issue advisory opinions regarding such meaning or interpretation.

4. In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any compacting state, the obligations, duties, powers or jurisdiction sought to be conferred by such provision upon the Interstate Commission shall be ineffective and such obligations, duties, powers or jurisdiction shall remain in the compacting state and shall be exercised by the agency thereof to which such obligations, duties, powers or jurisdiction are delegated by law in effect at the time this compact becomes effective.

210.580. The compact shall become binding upon the state of Missouri [when signed by the commissioners as herein provided and by the proper authorities of any other state entering into the compact] **upon legislative enactment of the compact into law by no less than thirty-five of the states. The initial effective date shall be the later of August 28, 2007, or upon enactment into law by the thirty-fifth jurisdiction. Thereafter it shall become effective and binding as to any other compacting state upon enactment of the compact into law by that state.**"; and

Further amend said bill, Page 35, Section 453.011, Line 25, by inserting after all of said line the following:

"[210.570. Within sixty days after sections 210.570 to 210.600 become effective, the governor, by and with the advice and consent of the senate, shall appoint three commissioners to enter into a compact on behalf of the state of Missouri with other states. If the senate is not in session at the time for making such appointments, the governor shall make temporary appointments as in the case of a vacancy. Any two of the commissioners so appointed together with the attorney general of the state of Missouri may act to enter into the following compact:

INTERSTATE COMPACT ON JUVENILES

The contracting states solemnly agree:

ARTICLE I

That juveniles who are not under proper supervision and control, or who have absconded, escaped or run away, are likely to endanger their own health, morals and welfare, and the health,

morals and welfare of others. The cooperation of the states party to this compact is therefore necessary to provide for the welfare and protection of juveniles and of the public with respect to (1) cooperative supervision of delinquent juveniles on probation or parole; (2) the return, from one state to another, of delinquent juveniles who have escaped or absconded; (3) the return, from one state to another, of nondelinquent juveniles who have run away from home; and (4) additional measures for the protection of juveniles and of the public, which any two or more of the party states may find desirable to undertake cooperatively. In carrying out the provisions of this compact the party states shall be guided by the noncriminal, reformatory and protective policies which guide their laws concerning delinquent, neglected or dependent juveniles generally. It shall be the policy of the states party to this compact to cooperate and observe their respective responsibilities for the prompt return and acceptance of juveniles and delinquent juveniles who become subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the foregoing purposes.

ARTICLE II

That all remedies and procedures provided by this compact shall be in addition to and not in substitution for other rights, remedies and procedures, and shall not be in derogation of parental rights and responsibilities.

ARTICLE III

That, for the purposes of this compact, "delinquent juvenile" means any juvenile who has been adjudged delinquent and who, at the time the provisions of this compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or to the jurisdiction or supervision of an agency or institution pursuant to an order of such court; "probation or parole" means any kind of conditional release of juveniles authorized under the laws of the states party hereto; "court" means any court having jurisdiction over delinquent, neglected or dependent children; "state" means any state, territory or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico; and "residence" or any variant thereof means a place at which a home or regular place of abode is maintained.

ARTICLE IV

(a) That the parent, guardian, person or agency entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of such parent, guardian, person or agency may petition the appropriate court in the demanding state for the issuance of a requisition for his return. The petition shall state the name and age of the juvenile, the name of the petitioner and the basis of entitlement to the juvenile's custody, the circumstances of his running away, his location if known at the time application is made, and such other facts as may tend to show that the juvenile who has run away is endangering his own welfare or the welfare of others and is not an emancipated minor. The petition shall be verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the document or documents on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letters of guardianship, or custody decrees. Such further affidavits and other documents as may be deemed proper may be submitted with such petition. The judge of the court to which this application is made may hold a hearing thereon to determine whether for the purposes of this compact the petitioner is entitled to the legal custody of the juvenile, whether or not it appears that the juvenile has in fact run away without consent, whether or not he is an emancipated minor, and whether or not it is in the best interest of the juvenile to compel his return to the state. If the judge determines, either with or without a hearing, that the juvenile should be returned, he shall present to the appropriate court or to the executive authority of the state where the juvenile is alleged to be located a written requisition for the return of such juvenile. Such requisition shall set forth the name and age of the juvenile, the determination of

the court that the juvenile has run away without the consent of a parent, guardian, person or agency entitled to his legal custody, and that it is in the best interest and for the protection of such juvenile that he be returned. In the event that a proceeding for the adjudication of the juvenile as a delinquent, neglected or dependent juvenile is pending in the court at the time when such juvenile runs away, the court may issue a requisition for the return of such juvenile upon its own motion, regardless of the consent of the parent, guardian, person or agency entitled to legal custody, reciting therein the nature and circumstances of the pending proceeding. The requisition shall in every case be executed in duplicate and shall be signed by the judge. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of such court. Upon the receipt of a requisition demanding the return of a juvenile who has run away, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing him to take into custody and detain such juvenile. Such detention order must substantially recite the facts necessary to the validity of its issuance hereunder. No juvenile detained upon such order shall be delivered over to the officer whom the court demanding him shall have appointed to receive him, unless he shall first be taken forthwith before a judge of a court in the state, who shall inform him of the demand made for his return, and who may appoint counsel or guardian ad litem for him. If the judge of such court shall find that the requisition is in order, he shall deliver such juvenile over to the officer whom the court demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a juvenile who has run away from another state party to this compact without the consent of a parent, guardian, person or agency entitled to his legal custody, such juvenile may be taken into custody without a requisition and brought forthwith before a judge of the appropriate court who may appoint counsel or guardian ad litem for such juvenile and who shall determine after a hearing whether sufficient cause exists to hold the person, subject to the order of the court, for his own protection and welfare, for such a time not exceeding ninety days as will enable his return to another state party to this compact pursuant to a requisition for his return from a court of that state. If, at the time when a state seeks the return of a juvenile who has run away, there is pending in the state wherein he is found any criminal charge, or any proceeding to have him adjudicated a delinquent juvenile for an act committed in such state, or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference. Upon his return to the state from which he ran away, the juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) That the state to which a juvenile is returned under this Article shall be responsible for payment of the transportation costs of such return.

(c) That "juvenile" as used in this Article means any person who is a minor under the law of the state of residence of the parent, guardian, person or agency entitled to the legal custody of such minor.

ARTICLE V

(a) That the appropriate person or authority from whose probation or parole supervision a delinquent juvenile has absconded or from whose institutional custody he has escaped shall present to the appropriate court or to the executive authority of the state where the delinquent juvenile is alleged to be located a written requisition for the return of such delinquent juvenile. Such requisition shall state the name and age of the delinquent juvenile, the particulars of his adjudication as a delinquent juvenile, the circumstances of the breach of the terms of his probation or parole or of his escape from an institution or agency vested with his legal custody or supervision, and the location of such delinquent juvenile, if known, at the time the requisition is made. The requisition shall be

verified by affidavit, shall be executed in duplicate, and shall be accompanied by two certified copies of the judgment, formal adjudication, or order of commitment which subjects such delinquent juvenile to probation or parole or to the legal custody of the institution or agency concerned. Such further affidavits and other documents as may be deemed proper may be submitted with such requisition. One copy of the requisition shall be filed with the compact administrator of the demanding state, there to remain on file subject to the provisions of law governing records of the appropriate court. Upon the receipt of a requisition demanding the return of a delinquent juvenile who has absconded or escaped, the court or the executive authority to whom the requisition is addressed shall issue an order to any peace officer or other appropriate person directing him to take into custody and detain such delinquent juvenile. Such detention order must substantially recite the facts necessary to the validity of the issuance hereunder. No delinquent juvenile detained upon such order shall be delivered over to the officer whom the appropriate person or authority demanding him shall have appointed to receive him, unless he shall first be taken forthwith before a judge of an appropriate court in the state, who shall inform him of the demand made for his return and who may appoint counsel or guardian ad litem for him. If the judge of such court shall find that the requisition is in order, he shall deliver such delinquent juvenile over to the officer whom the appropriate person or authority demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding.

Upon reasonable information that a person is a delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with his legal custody or supervision in any state party to this compact, such person may be taken into custody in any other state party to this compact without a requisition. But in such event, he must be taken forthwith before a judge of the appropriate court, who may appoint counsel or guardian ad litem for such person and who shall determine, after a hearing, whether sufficient cause exists to hold the person subject to the order of the court for such a time, not exceeding ninety days, as will enable his detention under a detention order issued on a requisition pursuant to this Article. If, at the time when a state seeks the return of a delinquent juvenile who has either absconded while on probation or parole or escaped from an institution or agency vested with his legal custody or supervision, there is pending in the state wherein he is detained any criminal charge or any proceeding to have him adjudicated a delinquent juvenile for an act committed in such state, or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of such state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the delinquent juvenile being returned, shall be permitted to transport such delinquent juvenile through any and all states party to this compact, without interference. Upon his return to the state from which he escaped or absconded, the delinquent juvenile shall be subject to such further proceedings as may be appropriate under the laws of that state.

(b) That the state to which a delinquent juvenile is returned under this Article shall be responsible for payment of the transportation costs of such return.

ARTICLE VI

That any delinquent juvenile who has absconded while on probation or parole, or escaped from an institution or agency vested with his legal custody or supervision in any state party to this compact, and any juvenile who has run away from any state party to this compact, who is taken into custody without a requisition in another state party to this compact under the provisions of Article IV(a) or of Article V(a), may consent to his immediate return to the state from which he absconded, escaped or ran away. Such consent shall be given by the juvenile or delinquent juvenile and his counsel or guardian ad litem if any, by executing or subscribing a writing, in the presence of a judge of the appropriate court, which states that the juvenile or delinquent juvenile and his counsel or guardian ad litem, if any, consent to his return to the demanding state. Before such consent shall be executed or subscribed, however, the judge, in the presence of counsel or guardian ad litem, if any,

shall inform the juvenile or delinquent juvenile of his rights under this compact. When the consent has been duly executed, it shall be forwarded to and filed with the compact administrator of the state in which the court is located and the judge shall direct the officer having the juvenile or delinquent juvenile in custody to deliver him to the duly accredited officer or officers of the state demanding his return, and shall cause to be delivered to such officer or officers a copy of the consent. The court may, however, upon the request of the state to which the juvenile or delinquent juvenile is being returned, order him to return unaccompanied to such state and shall provide him with a copy of such court order; in such event a copy of the consent shall be forwarded to the compact administrator of the state to which said juvenile or delinquent juvenile is ordered to return.

ARTICLE VII

(a) That the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state") may permit any delinquent juvenile within such state, placed on probation or parole, to reside in any other state party to this compact (herein called "receiving state") while on probation or parole, and the receiving state shall accept such delinquent juvenile, if the parent, guardian or person entitled to the legal custody of such delinquent juvenile is residing or undertakes to reside within the receiving state. Before granting such permission, opportunity shall be given to the receiving state to make such investigations as it deems necessary. The authorities of the sending state shall send to the authorities of the receiving state copies of pertinent court orders, social case studies and all other available information which may be of value to and assist the receiving state in supervising a probationer or parolee under this compact. A receiving state, in its discretion, may agree to accept supervision of a probationer or parolee in cases where the parent, guardian or person entitled to the legal custody of the delinquent juvenile is not a resident of the receiving state, and if so accepted the sending state may transfer supervision accordingly.

(b) That each receiving state will assume the duties of visitation and of supervision over any such delinquent juvenile and in the exercise of those duties will be governed by the same standards of visitation and supervision that prevail for its own delinquent juveniles released on probation or parole.

(c) That, after consultation between the appropriate authorities of the sending state and of the receiving state as to the desirability and necessity of returning such a delinquent juvenile, the duly accredited officers of a sending state may enter a receiving state and there apprehend and retake any such delinquent juvenile on probation or parole. For that purpose, no formalities will be required, other than establishing the authority of the officer and the identity of the delinquent juvenile to be retaken and returned. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive upon and not reviewable within the receiving state, but if, at the time the sending state seeks to retake a delinquent juvenile on probation or parole, there is pending against him within the receiving state any criminal charge or any proceeding to have him adjudicated a delinquent juvenile for any act committed in such state, or if he is suspected of having committed within such state a criminal offense or an act of juvenile delinquency, he shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment, detention or supervision for such offense or juvenile delinquency. The duly accredited officers of the sending state shall be permitted to transport delinquent juveniles being so returned through any and all states party to this compact, without interference.

(d) That the sending state shall be responsible under this Article for paying the costs of transporting any delinquent juvenile to the receiving state or of returning any delinquent juvenile to the sending state.

ARTICLE VIII

(a) That the provisions of Articles IV(b), V(b) and VII(d) of this compact shall not be construed to alter or affect any internal relationship among the departments, agencies and officers of

and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor.

(b) That nothing in this compact shall be construed to prevent any party state or subdivision thereof from asserting any right against any person, agency or other entity in regard to costs for which such party state or subdivision thereof may be responsible pursuant to Articles IV(b), V(b) or VII(d) of this compact.

ARTICLE IX

That, to every extent possible, it shall be the policy of states party to this compact that no juvenile or delinquent juvenile shall be placed or detained in any prison, jail or lockup nor be detained or transported in association with criminal, vicious or dissolute persons.

ARTICLE X

That the duly constituted administrative authorities of a state party to this compact may enter into supplementary agreements with any other state or states party hereto for the cooperative care, treatment and rehabilitation of delinquent juveniles whenever they shall find that such agreements will improve the facilities or programs available for such care, treatment and rehabilitation. Such care, treatment and rehabilitation may be provided in an institution located within any state entering into such supplementary agreement. Such supplementary agreements shall (1) provide the rates to be paid for the care, treatment and custody of such delinquent juveniles, taking into consideration the character of facilities, services and subsistence furnished; (2) provide that the delinquent juvenile shall be given a court hearing prior to his being sent to another state for care, treatment and custody; (3) provide that the state receiving such a delinquent juvenile in one of its institutions shall act solely as agent for the state sending such delinquent juvenile; (4) provide that the sending state shall at all times retain jurisdiction over delinquent juveniles sent to an institution in another state; (5) provide for reasonable inspection of such institutions by the sending state; (6) provide that the consent of the parent, guardian, person or agency entitled to the legal custody of said delinquent juvenile shall be secured prior to his being sent to another state; and (7) make provision for such other matters and details as shall be necessary to protect the rights and equities of such delinquent juveniles and of the cooperating states.

ARTICLE XI

That any state party to this compact may accept any and all donations, gifts and grants of money, equipment and services from the federal or any local government, or any agency thereof and from any person, firm or corporation, for any of the purposes and functions of this compact, and may receive and utilize the same subject to the terms, conditions and regulations governing such donations, gifts and grants.

ARTICLE XII

That the governor of each state party to this compact shall designate an officer who, acting jointly with like officers of other party states, shall promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE XIII

That this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.

ARTICLE XIV

That this compact shall continue in force and remain binding upon each executing state until renounced by it. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other states party hereto. The duties and obligations of a renouncing state under Article VII hereof shall continue as to parolees and probationers residing therein at the time of withdrawal until retaken or finally discharged. Supplementary agreements entered into under Article X hereof shall be subject to renunciation as provided by such supplementary agreements, and shall not be subject to the six months' renunciation notice of the present Article.

ARTICLE XV

That the provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.]

[210.595. The term "delinquent juvenile" as used in the interstate compact on juveniles includes those persons subject to the jurisdiction of the juvenile court within the meaning of subdivisions (1) and (2) of section 211.031, RSMo.]

[210.600. The commission shall have power to apply to the Congress of the United States for its consent and approval of the compact; but in the absence of such consent of Congress and until the same shall have been secured, the compact shall be binding upon the state of Missouri in all respects permitted by law for the signatory states without the consent of Congress to cooperate, for the purposes enumerated in the compact, and in the manner provided therein.]

[210.610. 1. This section shall provide remedies, and shall be binding only as among and between those party states which specifically adopt a similar section.

2. All provisions and procedures of article V and article VI of section 210.570 shall be construed to apply to any juvenile charged with being a delinquent by reason of violating any criminal law which constitutes a felony. Any juvenile charged with being a delinquent by reason of violating any criminal law which constitutes a felony shall be returned to the requesting state upon a requisition to the state where the juvenile may be found. A petition in such case shall be filed in a court of competent jurisdiction in the requesting state where the violation of criminal law is alleged to have been committed. The petition may be filed regardless of whether the juvenile has left the requesting state before or after the filing of the petition. The requisition described in article V of section 210.570 shall be forwarded by the judge of the court in which the petition has been filed.]"; and

Further amend the title and enacting clause accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 84, Section 210.762, Page 27, by inserting after all of said section the following:

"210.1012. 1. There is hereby created a statewide program called the "Amber Alert System" referred to in this section as the "system" to aid in the identification and location of **an** abducted [persons] **child**.

2. For the purposes of this section, "abducted [person] **child**" means a [person] **child** whose whereabouts are unknown and who is:

(1) **Less than eighteen years of age and** reasonably believed to be the victim of the crime of kidnaping as defined by section 565.110, RSMo, as determined by local law enforcement;

(2) **Reasonably believed to be the victim of the crime of child kidnaping as defined by section 565.115, RSMo, as determined by local law enforcement; or**

(3) **Less than eighteen years of age and at least fourteen years of age and who, if under the age of fourteen, would otherwise be reasonably believed to be a victim of child kidnaping as defined by section 565.115, RSMo, as determined by local law enforcement.**

3. The department of public safety shall develop regions to provide the system. The department of public safety shall coordinate local law enforcement agencies and public commercial television and radio broadcasters to provide an effective system. In the event that a local law enforcement agency opts not to set up a system and an abduction occurs within the jurisdiction, it shall notify the department of public safety who will notify local media in the region.

4. The Amber alert system shall include all state agencies capable of providing urgent and timely information to the public together with broadcasters and other private entities that volunteer to participate in the dissemination of urgent public information. At a minimum, the Amber alert system shall include the department of public safety, highway patrol, department of transportation, department of health and senior services, and Missouri lottery.

5. The department of public safety shall have the authority to notify other regions upon verification that the criteria established by the oversight committee has been met.

6. Participation in an Amber alert system is entirely at the option of local law enforcement agencies and federally licensed radio and television broadcasters.

7. Any person who knowingly makes a false report that triggers an alert pursuant to this section is guilty of a class A misdemeanor.

650.025. 1. There is hereby created an advisory system, referred to in this section as the "system", to aid in the identification and location of missing endangered persons.

2. For the purposes of this section, "missing endangered person" means a person whose whereabouts are unknown and who is:

(1) Physically or mentally disabled to the degree that the person is dependent upon an agency or another individual;

(2) Missing under circumstances indicating that the missing person's safety may be in danger; or

(3) Missing under involuntary or unknown circumstances.

3. The department of public safety has the authority to promulgate rules establishing recommended procedures for issuing missing endangered person advisories. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 2** was adopted.

Representative Dusenberg offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 84, Section A, Page 1, by inserting immediately after said section the following:

"43.010. As used in this chapter, the following terms shall have the meanings indicated:

- (1) ["Commission", the Missouri state highways and transportation commission;
- (2)] "Members of the patrol", the superintendent, lieutenant colonel, majors, captains, director of radio, lieutenants, sergeants, corporals, and patrolmen of the Missouri state highway patrol;
- [(3)] (2) "MULES", Missouri uniform law enforcement system, a statewide-computerized communications system provided by the patrol designed to provide services, information, and capabilities to the law enforcement and criminal justice community in the state of Missouri;
- [(4)] (3) "Patrol", the Missouri state highway patrol;
- [(5)] (4) "Peace officers", sheriffs, police officers and other peace officers of this state;
- [(6)] (5) "Radio personnel", those employees of the patrol engaged in the construction, operation, and maintenance of the patrol radio system.

43.030. 1. The superintendent of the Missouri state highway patrol shall be appointed **from the uniformed membership or a retired member of the patrol** by the governor by and with the advice and consent of the senate. The superintendent shall hold office at the pleasure of the governor. The superintendent shall be a citizen of the United States and a resident taxpaying citizen of this state for a period of three years previous to being appointed as superintendent and shall be at least thirty years of age. The superintendent shall maintain an office [and reside] in Jefferson City.

2. The superintendent of the Missouri state highway patrol shall:

- (1) Have command of the patrol and perform all duties imposed on the superintendent and exercise all of the powers and authority conferred upon the superintendent by the provisions of this chapter and the requirements of chapter 650, RSMo;
- (2) Within available appropriations, establish an equitable pay plan for the members of the highway patrol and radio personnel taking into consideration ranks and length of service.

43.050. 1. The superintendent may appoint not more than twenty-five captains and one director of radio, each of whom shall have the same qualifications as the superintendent, nor more than sixty lieutenants, and such additional force of sergeants, corporals and patrolmen, so that the total number of members of the patrol shall not exceed nine hundred sixty-five officers and patrolmen and such numbers of radio personnel as the superintendent deems necessary.

2. In case of a national emergency the superintendent may name additional patrolmen and radio personnel in a number sufficient to replace, temporarily, patrolmen and radio personnel called into military services.

3. **The superintendent may enter into an agreement with the Missouri gaming commission to enforce any law, rule, or regulation, conduct background investigations authorized under the laws of this state, and enforce the regulations of licensed gaming activities governed by chapter 313, RSMo. A notice of either party to terminate or modify the provisions of such agreement shall be in writing and executed not less than one year from the effective date of the termination or modification, unless mutually agreed upon by the superintendent and the Missouri gaming commission.** Members of the patrol hired in conjunction with any agreement with the Missouri gaming commission shall not be subject to the personnel cap referenced in subsection 1 of this section. If such agreement is subsequently terminated or modified to reduce the number of personnel used in such agreement, those members affected by such termination or modification shall not be subject to the personnel cap referenced in subsection 1 of this section for a period of [three] **five** years.

4. [Members] **Member positions** of the patrol [hired] **originally acquired** in conjunction with the community-oriented policing services federal grant or members assigned to fulfill the duties established in sections 43.350 to 43.380 shall not be subject to the personnel cap referenced in subsection 1 of this section.

5. Applicants shall not be discriminated against because of race, creed, color, national origin or sex.

43.090. [The board of public buildings shall provide suitable offices for general headquarters at Jefferson City, Missouri, which shall at all times be open and in charge of the superintendent, or some member of the patrol designated by him.] The superintendent[, with the consent and approval of the commission,] shall employ such clerical force, radio operators, and other subordinates, and shall provide such office equipment, stationery, postage supplies, [telegraph] **communication** and telephone facilities as he **or she** shall deem necessary **for general headquarters at Jefferson City, Missouri**, and shall also provide offices, equipment, stationery, postage, clerical force, and other subordinates for the headquarters of each [district] **troop or division** of the patrol. The state highway patrol [radio network] **communications division** shall be under the control of and at the service of the superintendent for such regular and emergency [bulletins] **communications**, and service as the superintendent may require [from time to time].

43.120. 1. The superintendent shall prescribe rules for instruction and discipline and make all administrative rules and regulations and fix the hours of duty for the members of the patrol. The superintendent shall divide the state into [districts] **troops** and assign members of the patrol to such [districts] **troops** in the manner as deemed proper to carry out the purposes of this chapter. The superintendent may call members of the patrol from one [district] **troop** to another.

2. The superintendent shall appoint the lieutenant colonel and five majors from within the membership. Such individuals shall serve at the superintendent's pleasure and shall return to their previously held rank after being relieved of their position duties by the present or incoming superintendent. The superintendent shall classify and rank through promotions the majors, the director of radio, captains, lieutenants, sergeants, corporals, patrolmen, and radio personnel from the next lower grade after not less than one year of service satisfactorily performed therein.

3. In case of the absence of the superintendent, or at the time the superintendent designates, the lieutenant colonel shall assume the duties of the superintendent. In the absence of both the superintendent and the lieutenant colonel, a major shall be designated by the superintendent or by the lieutenant colonel. In case of the disability of the superintendent and the lieutenant colonel, the governor may designate a major as acting superintendent and when so designated, the acting superintendent shall have all the powers and duties of the superintendent.

4. The superintendent shall collect, compile and keep available for the use of peace officers of the state the information as is deemed necessary for the detection of crime and identification of criminals. **The superintendent shall have the authority to direct members and other employees of the patrol to carry out any public safety duty or service authorized or appropriated by the general assembly.**

5. The superintendent is responsible for establishing policy, procedures, and regulations in cooperation with the law enforcement and criminal justice community in protecting the integrity of the MULES system. The superintendent shall be responsible for the administration and enforcement of all MULES policies and regulations consistent with state and federal rules, policy, and law by which the MULES system operates.

[6. Within ninety days after the close of each fiscal year, the superintendent shall make to the governor and the commission a report of the activities of the patrol and the cost thereof for the fiscal period.]

43.220. Neither the governor[, the commission,] nor the superintendent shall have any power, right or authority to command, order or direct any member of the patrol to perform any duty or service not authorized [by this chapter] **under state statute.**

43.530. **1.** For each request requiring the payment of a fee received by the central repository, the requesting entity shall pay a fee of not more than [five] **nine** dollars per request for criminal history record information not based on a fingerprint search [when the requesting entity is required to obtain such information by any provision of state or federal law and pay a fee of not more than fourteen dollars per request for criminal history record information based on a fingerprint search when the requesting entity is required to obtain such information by any provision of state or federal law; provided that, when the requesting entity is not required to obtain such information by law, the requesting entity shall pay a fee of not more than ten dollars per request for criminal history record information not based on a fingerprint search and] . **In each year beginning on or after January 1, 2010, the superintendent may increase the fee paid by requesting entities by an amount not to exceed one dollar per year, however, under no circumstance shall the fee paid by requesting entities exceed fifteen dollars per request.**

2. For each request requiring the payment of a fee received by the central repository, the requesting entity shall pay a fee of not more than twenty dollars per request for criminal history record information based on a fingerprint search[. Each such] , **unless the request is required under the provisions of subdivision (6) of section 210.481, RSMo, section 210.487, RSMo, or section 571.101, RSMo, in which case, the fee shall be fourteen dollars.**

3. A request made under subsections 1 and 2 of this section shall be limited to check and search on one individual. Each request shall be accompanied by a check, warrant, voucher, money order, or electronic payment payable to the state of Missouri-criminal record system or payment shall be made in a manner approved by the highway patrol. The highway patrol may establish procedures for receiving requests for criminal history record information for classification and search for fingerprints, from courts and other entities, and for the payment of such requests. There is hereby established by the treasurer of the state of Missouri a fund to be entitled as the "Criminal Record System Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, if the moneys collected and deposited into this fund are not totally expended annually for the purposes set forth in sections 43.500 to 43.543, the unexpended moneys in such fund shall remain in the fund and the balance shall be kept in the fund to accumulate from year to year.

43.546. 1. Any state agency, board, or commission may require the fingerprinting of applicants in specified occupations or appointments within the state agency, board, or commission for the purpose of positive identification and receiving criminal history record information when determining an applicant's ability or fitness to serve in such occupation or appointment.

2. In order to facilitate the criminal background check under subsection 1 of this section on any person employed or appointed by a state agency, board, or commission, and in accordance with section 43.543, the applicant or employee shall submit a set of fingerprints collected under the standards determined by the Missouri highway patrol. The fingerprints and accompanying fees, unless otherwise arranged, shall be forwarded to the highway patrol to be used to search the state criminal history repository and the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal background check. Notwithstanding the provisions of section 610.120, RSMo, all records related to any criminal history information discovered shall be accessible and available to the state agency making the request.

43.547. 1. The Missouri state highway patrol, at the direction of the governor, shall conduct name or fingerprint background investigations of gubernatorial appointees. The governor's directive shall state whether the background investigation shall be a name background investigation or a fingerprint background investigation. In addition, the patrol may, at the governor's direction, conduct other appropriate investigations to determine if an applicant or appointee is in compliance with section 105.262, RSMo, and other necessary inquiries to determine the person's suitability for positions of public trust.

2. In order to facilitate the fingerprint background investigation under subsection 1 of this section, and in accordance with the provisions of section 43.543, the appointee shall submit a set of fingerprints collected under the standards determined by the Missouri highway patrol. The fingerprints and accompanying fees, unless otherwise arranged, shall be forwarded to the highway patrol to be used to search the state criminal history repository and the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal background check. Any background investigation conducted at the direction of the governor under subsection 1 of this section may include criminal history record information and other source information obtained by the highway patrol."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 84, Page 3, Section 43.090, Line 11, by inserting after the word "force" the following:

"communication, telephone".

On motion of Representative Bringer, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Dusenberg, **House Amendment No. 3, as amended**, was adopted.

Representative Muschany offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 84, Page 27, Section 210.762, Line 28, by adding after all of said line the following:

"210.1050. 1. The educational needs of each child under the jurisdiction of the juvenile court or family court under subdivisions (1), (2), or (5) of subsection 1 of section 211.031, RSMo, shall be considered as part of the function of the child's family support team pursuant to policy of the department of social services. Such needs shall include, but not be limited to, the assumption that regular full school days of education are warranted. For the purposes of this section, "full school day" shall mean six hours in which the child is under the guidance and direction of teachers in the education process. The local school district shall be invited to have representation on the child's family support team. If the school district designates a representative, the representative shall be a full participant in the family support team.

2. Nothing in this section shall be construed to infringe upon the rights or due process provisions of the federal Individuals with Disabilities Education Act. Nothing in this section shall be construed to impede the ability of the family support team or the facility staff from making a referral for special education services, if appropriate, when a child is placed in a facility described in this section without an individualized education program or without a pending referral for such services. If a child is referred for such services, the provisions of the Individuals with Disabilities Education Act shall apply and control while the referral is pending and through the evaluation process, including provisions for educational decision-makers and educational surrogates. Nothing in this section shall be construed to deny any child domiciled in Missouri appropriate and necessary free public education services.

3. When the department of social services by contract places a child for treatment in a licensed residential care facility setting for children as defined in section 210.481, such facility shall be responsible for the educational needs of the child if the child at the time of placement does not have an individualized education program or a pending referral for special education services under sections 162.670 to 162.999, RSMo.

(1) Such facilities operating an on-site school for which they hire their own education staff shall:

(a) Provide, on site at such facility , a full school day of education for each child placed in such facility by the department of social services unless the child's plan of treatment and care supports his or her ability to attend public school; and

(b) Be reimbursed by the local school district for the cost of education services provided to children placed in their care by the department of social services, as approved by the department of elementary and secondary education, when the facility provides education services. The local school district shall be compensated under section 167.126, RSMo, for such education services.

No child placed in the facilities for treatment described in this subdivision shall be considered by the local school district as homebound for purposes of education unless the family support team under subsection 1 of this section has approved homebound instruction. A full school day of education shall be provided unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section. Nothing in this subsection shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

(2) When such facilities have on-site classrooms but do not hire their own education staff, the local school district:

(a) Shall provide, on site at such facility or at an alternative location agreed upon pursuant to subsection 6 of this section, a full school day of education for each child placed in such facility for care by the department of social services unless the child's plan of treatment and care supports his or her ability to attend public school;

(b) Shall be compensated under section 167.126, RSMo, for such education services as approved by the department of elementary and secondary education; and

(c) May consider such education services as homebound instruction but shall provide each homebound child with a full school day of education unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section.

Nothing in this subdivision shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

(3) When such facilities do not operate an on-site school or have on-site classrooms, the local school district shall:

(a) Provide a full school day of education for each child placed in such facility for care by the department of social services; and

(b) Be compensated for such education services under section 167.126, RSMo, as approved by the department of elementary and secondary education.

If the child's behavior or plan of treatment and care does not support the child's being educated in a regular education class, education services shall be provided in an alternative setting approved by the family support team under subsection 1 of this section. A full school day of education shall be provided unless fewer hours of instruction per day are approved by the family support team under subsection 1 of this section. Nothing in this subdivision shall create an obligation for a licensed residential care facility to have on-site classrooms, to operate an on-site school, or to hire its own education staff.

4. Notwithstanding any other provision of law, a child placed for treatment by the department of social services in a licensed residential care facility setting for children as defined in section 210.481, RSMo, who does not have an individualized education program for special education services or a pending referral for such services under sections 162.670 to 162.999, RSMo, whose plan of treatment and care supports his or her ability to attend public school but who is then suspended or otherwise demonstrates school failure based on behavior or academic performance shall then be provided a full school day of education according to subsection 3 of this section.

5. Nothing in this section shall prevent a licensed residential care facility setting for children as defined in section 210.481 from contracting with school districts for education services. Nothing in this section shall prevent a school district from contracting with a licensed residential care facility setting for children as defined in section 210.481 for education services.

6. (1) Any residential treatment facility public school district shall work with the district and develop an educational plan that describes in general how and where educational services will be provided to school-aged residents of the treatment facility under a variety of possible circumstances. The educational plan shall be developed jointly by the appropriate staff of both the treatment facility and the public school district, and the plan shall be signed annually by the administration of both parties verifying their support for the plan.

(2) It is the intent that the educational plan follow the provisions of this section, but treatment facilities and school districts may develop provisions for educational services not included in this section if both parties agree on the provisions and if the provisions offer a full-day educational program for the students involved.

(3) It is understood as a condition of the plan that both the treatment facility and school district shall be fully reimbursed, as allowed by law in accordance with the availability of funds, for their portions of the cost of providing educational services through such sources as basic state aid, local district bill-back, and excess cost reimbursement, as well as other possible sources and that a school district shall not be required to provide more total reimbursement to a treatment facility than it receives from all such sources. The local school district shall make all needed requests and applications for such reimbursement.

(4) Each treatment facility and school district shall furnish a signed copy of their educational plan to the department of elementary and secondary education and to the department of social services no later than June 1 of each year.

(5) If the treatment facility and the school district cannot reach an agreement on the education plan under this subsection, the differences shall be resolved by an arbitration panel made up of one representative from the department of elementary and secondary education, one representative from the children's division of the department of social services, and one person appointed by the governor every three years, with the advice and consent of the senate, serving at the pleasure of the governor. A final decision shall be made by August 15. Costs for the arbitration panel shall be shared equally by the treatment facility and the school district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Muschany, **House Amendment No. 4** was adopted.

Representative Davis offered **House Amendment No. 5**.

Representative Talboy raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Dixon requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Franz, **HCS SB 84, as amended**, was adopted.

On motion of Representative Franz, **HCS SB 84, as amended**, was read the third time and passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Villa	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 016

Burnett	Hughes	Johnson	Kuessner	Lampe
LeVota	Nasheed	Schoemehl	Skaggs	Swinger
Talboy	Todd	Vogt	Wallace	Whorton
Witte				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Brown 30	Chappelle-Nadal	Funderburk	Hoskins
Kratky	Marsh	Richard	Wildberger	

Representative Dixon declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 795, as amended, relating to local public improvements, was taken up by Representative Flook.

On motion of Representative Flook, **SCS HCS HB 795, as amended**, was adopted by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Brown 50	Bruns
Burnett	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Grill	Grisamore	Guest
Haywood	Hobbs	Hodges	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Kraus	Kuessner	Lampe
Lembke	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yates	Young	Mr Speaker

NOES: 031

Baker 25	Bringer	Casey	Corcoran	Donnelly
Fallert	Frame	George	Harris 23	Harris 110
Holsman	Komo	LeVota	Liese	Meadows
Nasheed	Page	Roorda	Schieffer	Schoemehl
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Whorton	Witte	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Chappelle-Nadal	Funderburk	Hoskins	Kratky
Marsh	Wildberger			

On motion of Representative Flook, **SCS HCS HB 795, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 111

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Brown 50	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yates	Young
Mr Speaker				

NOES: 045

Baker 25	Bringer	Burnett	Casey	Corcoran
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Komo	Kuessner	Lampe	LeVota
Liese	McClanahan	Meadows	Nasheed	Norr
Page	Robinson	Roorda	Rucker	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Vogt	Wells
Whorton	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Chappelle-Nadal	Funderburk	Hoskins	Kratky
Marsh	Wildberger			

Representative Dixon declared the bill passed.

SCS HCS HB 426, relating to propane safety, was taken up by Representative Parson.

On motion of Representative Parson, **SCS HCS HB 426** was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 004

Cooper 158	Ervin	Lipke	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Chappelle-Nadal	Funderburk	Hoskins	Kratky
Marsh	Wildberger			

On motion of Representative Parson, **SCS HCS HB 426** was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Day	Deeken	Dempsey

Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 005

Cooper 158	Davis	Ervin	Lipke	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Bruns	Chappelle-Nadal	Funderburk	Hoskins
Kratky	Marsh	Wildberger		

SS SCS HB 740, relating to a conveyance in Johnson County, was taken up by Representative Pearce.

On motion of Representative Pearce, **SS SCS HB 740** was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky

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Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 002

Talboy Whorton

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Chappelle-Nadal	Funderburk	Hoskins	Marsh
Schoemehl	Wildberger			

On motion of Representative Pearce, **SS SCS HB 740** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst

Schieffer	Schlottach	Schneider	Schoeller	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 003

Nasheed	Talboy	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	Chappelle-Nadal	Cooper 120	Funderburk	Hoskins
Marsh	Schoemehl	Self	Wildberger	

Representative Dixon declared the bill passed.

SS HB 205, as amended, relating to tourism supplemental revenue funds, was taken up by Representative Wood.

On motion of Representative Wood, **SS HB 205, as amended**, was adopted by the following vote:

AYES: 094

Avery	Bearden	Bivins	Brandom	Brown 50
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Emery	Faith	Fares	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Kratky	Lampe	Lembke	Loehner	Low 39
Lowe 44	May	McGhee	Meiners	Moore
Munzlinger	Nance	Nieves	Nolte	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wood	Wright 159
Yaeger	Young	Zweifel	Mr Speaker	

NOES: 062

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Burnett	Casey	Cooper 158	Corcoran
Cunningham 86	Curls	Daus	Dusenberg	El-Amin
Ervin	Fallert	Frame	George	Grill

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Harris 23	Harris 110	Haywood	Hodges	Holsman
Hubbard	Hughes	Johnson	Komo	Kraus
Kuessner	LeVota	Liese	Lipke	McClanahan
Meadows	Muschany	Nasheed	Norr	Page
Quinn 7	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Shively	Skaggs	Spreng
Stevenson	Storch	Swinger	Talboy	Todd
Vogt	Whorton	Wilson 130	Witte	Wright-Jones
Yates	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 30	Chappelle-Nadal	Funderburk	Hoskins	Marsh
Schoemehl	Wildberger			

On motion of Representative Wood, **SS HB 205, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 089

Aull	Avery	Bearden	Bivins	Brandom
Brown 50	Bruns	Cooper 120	Cooper 155	Cox
Cunningham 145	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Faith	Fares	Fisher	Flook
Guest	Hobbs	Ice	Jones 117	Kelly
Kingery	Kratky	Lampe	Loehner	Low 39
Lowe 44	May	McGhee	Meiners	Moore
Munzlinger	Nance	Nieves	Nolte	Oxford
Parson	Pearce	Pollock	Portwood	Pratt
Richard	Robb	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Schamhorst
Schieffer	Shlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Yaeger	Young	Mr Speaker	

NOES: 066

Baker 25	Baker 123	Bland	Bowman	Bringer
Burnett	Casey	Cooper 158	Corcoran	Cunningham 86
Curls	Daus	Donnelly	Dusenberg	El-Amin
Ervin	Fallert	Frame	Franz	George
Grill	Grisamore	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hubbard	Hughes	Hunter
Johnson	Jones 89	Komo	Kraus	Kuessner
LeVota	Liese	Lipke	McClanahan	Meadows
Muschany	Nasheed	Norr	Onder	Page
Quinn 7	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Vogt	Whorton

Witte	Wright 159	Wright-Jones	Yates	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Chappelle-Nadal	Funderburk	Hoskins	Lembke
Marsh	Schoemehl	Wildberger		

Representative Dixon declared the bill passed.

SENATE CONCURRENT RESOLUTIONS

SCR 18, relating to an audit of the State Auditor, was taken up by Representative Deeken.

On motion of Representative Deeken, **SCR 18** was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Curls	Daus	Low 39	Nasheed	Rucker
Salva	Talboy	Vogt	Whorton	

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 30	Chappelle-Nadal	Fares	Funderburk	Hoskins
Marsh	Schoemehl	Wildberger		

SCS SCR 5, relating to Chronic Obstructive Pulmonary Disease Awareness Day, was taken up by Representative Threlkeld.

On motion of Representative Threlkeld, **SCS SCR 5** was adopted by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Skaggs	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Brown 30	Chappelle-Nadal	Funderburk	Hoskins
Marsh	Schoemehl	Wildberger		

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 82** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Crime Prevention and Public Safety, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 5**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 429**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 3**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 85**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1108**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 45 & 39**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 226**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 240**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SB 358**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 543**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HBs 406 & 726**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 886**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 137**, begs leave to report it has examined the same and recommends that it **Do Not Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS#6 SCS SB 389**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 758 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 22 - Fiscal Review (Fiscal Note)

SS#6 SCS SB 389 - Fiscal Review (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **Senate Amendment No. 1** and **Senate Amendment No. 3** to **HB 574** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HB 574** with **Senate Amendment No. 1** and **Senate Amendment No. 3**: Senators Stouffer, Rupp, Bartle, Kennedy and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS** for **HB 665, as amended**, and grants the House a conference thereon and further that the conferees be allowed to exceed the differences on language concerning assessors.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS HB 665, as amended**: Senators Ridgeway, Griesheimer, Engler, Shoemyer and Kennedy.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 25, as amended**: Senators Champion, Goodman, Stouffer, Days and Coleman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 64, as amended**: Senators Goodman, Shields, Mayer, Smith and Wilson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SB 81, as amended**: Senators Griesheimer, Koster, Engler, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 166**, and requests the House to recede from its position and take up and pass **SB 166**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 198**: Senators Mayer, Clemens, Stouffer, Wilson and Barnitz.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 270** and has taken up and passed **HCS SB 270**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 272** and has taken up and passed **HCS SCS SB 272**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 288, SB 152 and SCS SB 115** and has taken up and passed **HCS SCS SB 288, SB 152 and SCS SB 115**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1 to SCS SB 302** and has taken up and passed **SCS SB 302, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 322** and has taken up and passed **HCS SB 322**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SB 406, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, May 3, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Kenny Jones, District 117, hereby state and affirm that my vote as recorded on the motion to adopt Conference Committee Report for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, with an Emergency Clause, as recorded in the House Journal for May 2, 2007 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2007.

/s/ Kenny Jones
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Rebecca McClanahan, District 2, hereby state and affirm that my vote as recorded on Page 1421 of the House Journal for May 1, 2007 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2007.

/s/ Rebecca McClanahan
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Joe Smith, District 14, hereby state and affirm that my vote as recorded on Page 1413 of the House Journal for May 1, 2007 showing that I voted present was incorrectly recorded. Pursuant to House Rule 89, I ask

that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2007.

/s/ Joe Smith
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of May in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, May 3, 2007, 8:00 a.m. Hearing Room 6.
Executive session.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Thursday, May 3, 2007, 8:15 a.m. Hearing Room 5.
Public Safety will discuss the POST program and the Breeders Fund under the Gaming Commission.
Executive session may follow.

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 3, 2007, 8:00 a.m. Senate Lounge.
Executive session may follow.
Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

CONFERENCE COMMITTEE - APPROPRIATIONS

Friday, May 4, 2007, 8:00 a.m. Senate Lounge.
Executive session may follow.
Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, May 8, 2007, Hearing Room 3 upon afternoon adjournment.
Executive session may follow.
Public hearing to be held on: HB 1232

FISCAL REVIEW

Thursday, May 3, 2007, 9:00 a.m. Hearing Room 1.
Any bills referred to Fiscal Review Committee.

JUDICIARY

Thursday, May 3, 2007, House Chamber south gallery upon morning adjournment.
Executive session only.

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, May 3, 2007, 9:30 a.m. Hearing Room 2.
Executive session may follow. AMENDED
Public hearings to be held on: SB 140, HCS SCS SB 333,
HCS SCS SBs 199 & 207, HCS SCS SB 328, HCS SCS SB 163

SPECIAL COMMITTEE ON AGRI-BUSINESS

Thursday, May 3, 2007, House Chamber south gallery forty (40) minutes after adjournment.
Executive session.

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Thursday, May 3, 2007, 9:00 a.m. Hearing Room 3.
Executive session only.

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Thursday, May 3, 2007, 9:45 a.m. House Chamber south gallery.
Executive session only. CANCELLED

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, May 3, 2007, 8:30 a.m. Hearing Room 7.
Executive session may follow.
Public hearing to be held on: SCS SB 664

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, May 3, 2007, 9:00 a.m. Hearing Room 4. AMENDED
Executive session will be held on: HB 354

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, May 3, 2007, 9:30 a.m. House Chamber north gallery.
Executive session may follow.
Public hearing to be held on: SS SB 654

SPECIAL COMMITTEE ON UTILITIES

Thursday, May 3, 2007, House Chamber south gallery upon morning adjournment.
Executive session. CANCELLED

HOUSE CALENDAR

SIXTY-EIGHTH DAY, THURSDAY, MAY 3, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821 - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger

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- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HCS HB 425 - Pearce
- 59 HCS HB 429 - Jones (117)
- 60 HCS HB 716 - Davis
- 61 HCS HB 95 - Sater
- 62 HB 479 - Darrough
- 63 HB 733 - Page
- 64 HCS HB 769 - Bruns
- 65 HCS HB 802 - Page
- 66 HB 1155 - Wright-Jones
- 67 HCS HB 442 - Kingery
- 68 HB 727 - Portwood
- 69 HB 888 - Grisamore
- 70 HCS HB 923 - Kratky
- 71 HB 1251 - Komo
- 72 HCS HB 331 - Lipke
- 73 HCS#2 HB 735 - Cooper (158)
- 74 HCS HB 833 - Wasson
- 75 HB 1104 - Hughes

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
- 2 HB 758, (Fiscal Review 5-2-07) - Brown (50)

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright

SENATE BILLS FOR THIRD READING

- 1 SCS SB 91 - St. Onge
- 2 SB 135 - Kingery
- 3 HCS SCS SB 232 - Cooper (158)
- 4 HCS SCS SB 384, E.C. - Daus
- 5 HCS SCS SB 520 - Hunter
- 6 SB 352 - Ruzicka
- 7 HCS SCS SB 82 - Tilley (90 minutes debate on Third Reading)
- 8 HCS SB 593 & SCS SB 594 - May
- 9 SB 648 - Kelly
- 10 HCS SB 666 - Grill
- 11 HCS SCS SB 156, (Fiscal Review 4-26-07), E.C. - Quinn (7) (90 minutes debate on Third Reading)
- 12 HCS SS SCS SB 320 - Quinn (7)
- 13 SCS SB 418, (Fiscal Review 4-26-07) - Weter
- 14 SB 513 - Wasson
- 15 HCS SB 218 - Deeken
- 16 SB 433 - Day
- 17 HCS SS SCS SB 22, (Fiscal Review 5-2-07), E.C. - Schneider (2 hours for debate on Third Reading)
- 18 SS#6 SCS SB 389, (Fiscal Review 5-2-07) - Bearden (2 hours debate on Third Reading)

SENATE BILL FOR THIRD READING - REVISION

HCS SRB 613 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HCS HB 18 - Icet
- 3 SCS HCS HB 17 - Icet
- 4 SCS HB 791 - Wilson (130)

BILLS CARRYING REQUEST MESSAGES

- 1 CCS SS SCS HCS HB 327, as amended
(House refuses to grant conference/request Senate take up and pass bill) - Richard
- 2 HCS#2 SB 406, as amended (request House recede/grant conference) - Wallace
- 3 HCS SB 166, (request House recede/take up and pass bill) - Wood

BILLS IN CONFERENCE

- 1 HCS SB 30, as amended - Stevenson
- 2 HCS SCS SB 308, as amended - Wasson
- 3 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 4 SCS HB 1 - Icet
- 5 SCS HCS HB 2 - Icet
- 6 SCS HCS HB 3 - Icet
- 7 SCS HCS HB 4 - Icet
- 8 SCS HCS HB 5 - Icet
- 9 SCS HCS HB 6 - Icet

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- 10 SCS HCS HB 7 - Icet
- 11 SCS HCS HB 8 - Icet
- 12 SCS HCS HB 9 - Icet
- 13 SCS HCS HB 10 - Icet
- 14 SCS HCS HB 11, as amended - Icet
- 15 SCS HCS HB 12 - Icet
- 16 SCS HCS HB 13 - Icet
- 17 HCS SCS SB 64, as amended - Wallace
- 18 HCS SB 81, as amended - Schlottach
- 19 HCS SCS SB 198 - Pollock
- 20 HCS SB 25, as amended - Franz
- 21 HB 574, SA 1, SA 3, E.C. - St. Onge
- 22 SS HB 665, as amended (conferees to exceed differences) - Ervin

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, THURSDAY, MAY 3, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

We take up the theme, "America, Unite in Prayer", on this National Day of Prayer.

God, our refuge and our strength, an ever-present help in times of trouble (*adapted from Psalm 46:1*), we praise and thank You, who have called millions of us across our land to obey Your Holy Spirit by uniting in prayer today.

We pray first for those who are in trouble because of senseless, unnecessary violence. We pray for those who have died in such violence. Save them! Heal and help their families and loved ones.

We pray for the members of this body and for their staff and for all who assist them in their work. Give them the energy and calm to accomplish well the work of today after a very long day yesterday.

God our Father, guide and strengthen us to work in unity today. Give us the ability to focus on what is right and best and just, rather than yielding to the temptation to focus upon winning.

Bless us Almighty God, our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Michael Summerlin, Bryce Holman, Phyllis Dieckmann and Eva Fay Hollis.

The Journal of the sixty-seventh day was approved as corrected.

SPECIAL RECOGNITION

The Tenth Annual House Employee Appreciation Day was held and employees were recognized for their service. The Outstanding Employees of the Year were Naomi Vetter and Letitcia Long.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3107 through House Resolution No. 3153

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 156** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS#6 SCS SB 389** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 418** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 758** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HCS SB 25: Representatives Franz, Baker (123), Ervin, Donnelly and Oxford

HCS SCS SB 64: Representatives Wallace, Cunningham (86), Muschany, Aull and Lampe

HCS SB 81: Representatives Schlottach, Smith (150), Threlkeld, Skaggs and Zimmerman

HCS SCS SB 198: Representatives Pollock, Day, Sutherland, Hughes and Walsh

THIRD READING OF SENATE BILLS

HCS SCS SB 82, relating to motor vehicles, was taken up by Representative Tilley.

Representative Denison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 35, Section 301.550, Line 1, by inserting immediately preceding all of said line the following:

"301.444. 1. [Any person, as defined in subsection 3 of this section, may apply for special license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The firefighter memorial foundation of Missouri hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Upon application and payment of a one-time twenty-five dollar emblem-use contribution to the firefighter memorial foundation of Missouri, the foundation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented to the department of revenue at the time of registration of a motor vehicle.

3. As used in this section, the term "person" shall mean:

- (1) A director of a fire protection district;
- (2) Persons compensated, partially compensated, or volunteer members of any fire department, fire protection district, or voluntary fire protection association of this state;
- (3) A person wounded in the line of duty as a firefighter; or
- (4) A surviving spouse, parent, brother, sister, or adult child, including an adopted child or stepchild, of a person killed in the line of duty as a firefighter.

4. Upon presentation of the emblem-use authorization statement and payment of a fifteen dollar fee in addition to the regular registration fees and presentation of other documents which may be required by law, the department of revenue shall issue a personalized license plate to the vehicle owner, which shall bear the emblem of the firefighter memorial foundation of Missouri and the word "FIREFIGHTER" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

5. The director of revenue may promulgate rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.] **Owners or a joint owner of motor vehicles who are residents of the state of Missouri, and who are directors of a fire protection district or who are compensated, partially compensated, or volunteer members of any fire department, fire protection district, or voluntary fire protection association in this state, upon application accompanied by affidavit as prescribed in this section, complying with the state motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of a fee as prescribed in this section, shall be issued a set of license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The license plates shall be inscribed with a variation of the Maltese cross that signifies the universally recognized symbol for firefighters. In addition, upon such set of license plates shall be inscribed, in lieu of the words "Show-me State", the word "FIREFIGHTER". Such license plates shall be made with fully reflective material, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.**

2. Applications for license plates issued under this section shall be made to the director of revenue and shall be accompanied by an affidavit stating that the applicant is a person described in subsection 1 of this section. Any person who is lawfully in possession of such plates who resigns, is removed, or otherwise terminates or is terminated from his association with such fire department, fire protection district, or voluntary fire protection association shall return such special plates to the director within fifteen days.

3. An additional annual fee equal to that charged for personalized license plates in section 301.144 shall be paid to the director of revenue for the issuance of the license plates provided for in this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 1** was adopted.

Representative Tilley offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 43, Section 301.560, Lines 158 to 161, by deleting all of said lines and inserting in lieu thereof the following:

"shall [also] issue one number plate bearing the distinctive dealer license number **and may issue two additional number plates** to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee **for the number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each additional number plate.** Such license plates shall be made with fully"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Tilley, **House Amendment No. 2** was adopted.

Representative Parson offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Pages 29-30, Section 301.218, Lines 1-30, by deleting all of said lines and inserting in lieu thereof the following:

"301.218. 1. No person shall, except as an incident to the sale, repair, rebuilding or servicing of vehicles by a licensed franchised motor vehicle dealer carry on or conduct the following business unless licensed to do so by the department of revenue under sections 301.217 to 301.229:

- (1) Selling used parts of or used accessories for vehicles as a used parts dealer, as defined in section 301.010;
- (2) Salvaging, wrecking or dismantling vehicles for resale of the parts thereof as a salvage dealer or dismantler, as defined in section 301.010;
- (3) Rebuilding and repairing four or more wrecked or dismantled vehicles in a calendar year as a rebuilder or body shop, as defined in section 301.010;
- (4) Processing scrapped vehicles or vehicle parts as a mobile scrap processor, as defined in section 301.010.

2. Sales at a salvage pool or a salvage disposal sale shall be open only to and made to persons **actually engaged in and** holding a current license under sections 301.217 to 301.221 [as a salvage dealer and dismantler and actually engaged in that business. Such persons must have and present a separate buyer's identification card issued by the department of revenue to buy at a salvage pool or salvage disposal sale. If the prospective purchasers are not engaged in such business in Missouri but are in some other state, then they shall submit a fee of twenty-five dollars and must furnish proof of licensure or nonrequirement therefor from their state to the director of revenue who shall issue a buyer's identification card after verifying that the prospective purchaser is entitled to have the same in order to buy salvage vehicles. The director of revenue shall adopt rules for criteria and requirements for out of state, prospective purchasers to meet in order to be issued a buyer's identification card.] **and 301.550 to 301.573 or any person from another state or jurisdiction who is legally allowed in his or her state of domicile to purchase for resale, rebuild, dismantle, crush, or scrap either motor vehicles or salvage vehicles, and to persons who reside in a foreign country that are purchasing salvage vehicles for export outside of the United States.** Operators of salvage pools or salvage disposal sales shall keep a record, for three years, of sales of salvage vehicles with the purchasers' name and address, and the year, make, and vehicle identification number for each vehicle. These records shall be open for inspection as provided in section 301.225. **Such records shall be submitted to the department on a quarterly basis.**

3. **The seller of a nonrepairable motor vehicle or a salvage motor vehicle to a person who is not a resident of the United States at a salvage pool or a salvage disposal sale shall:**

- (1) **Stamp on the face of the title so as not to obscure any name, date, or mileage statement on the title the words "FOR EXPORT ONLY" in capital letters that are black; and**
- (2) **Stamp in each unused reassignment space on the back of the title the words "FOR EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the salvage pool, or the name of the governmental entity, as applicable.**

The words "FOR EXPORT ONLY" required under subdivisions (1) and (2) of this subsection shall be at least two inches wide and clearly legible. Copies of the stamped titles shall be forwarded to the department.

4. The director of revenue shall issue a separate license for each kind of business described in [this] **subsection 1 of this** section, to be entitled and designated as either "used parts dealer"; "salvage dealer or dismantler"; "rebuilder or body shop"; or "mobile scrap processor" license."; and

Further amend said bill, Pages 34-35, Section 301.280, Lines 40-46, by deleting all of said lines and inserting in lieu thereof the following:

"remains unclaimed for a period of fifteen days shall, within five days after the expiration of that period, report the motor vehicle as unclaimed to the director of revenue. Such report shall be on a form prescribed by the director of revenue. A motor vehicle left by its owner whose name and address are known to the dealer or his employee or person operating a public garage or his employee is not considered unclaimed. Any dealer or person operating a public garage who fails to report a motor vehicle as unclaimed as herein required forfeits all claims and liens for its garaging, parking or storing."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 7, Section 301.010, Lines 180-184, by deleting all of said lines and inserting in lieu thereof the following:

"(a) Has been damaged to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds seventy-five percent of the fair market value of the vehicle immediately preceding the time it was damaged;" and

Further amend said substitute, Page 7, Section 301.010, Lines 194-195, by deleting the words "**or damage as a result of hail,**"; and

Further amend said substitute, Page 23, Section 301.190, Line 120, by deleting the open bracket "[" and closed bracket "]" around the word "or"; and

Further amend said substitute, Page 23, Section 301.190, Lines 120-121, by deleting the words "**or prior salvage vehicle,**"; and

Further amend said substitute, Page 23, Section 301.190, Lines 123-128, by deleting all of said lines and inserting in lieu thereof the following:

"designation."; and

Further amend said substitute, Page 32, Section 301.227, Line 5, by deleting the open bracket "[" immediately preceding the word "On"; and

Further amend said substitute, Page 32, Section 301.227, Line 7, by deleting the closed bracket "]" after the period "."; and

Further amend said substitute, Page 32, Section 301.227, Line 7, by deleting the words "**On vehicles purchased during a year that**"; and

Further amend said substitute, Page 32, Section 301.227, Lines 8-12, by deleting all of said lines and inserting in lieu thereof the following:

"Whenever a vehicle is sold for destruction and a salvage certificate of title, junking"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Bearden assumed the Chair.

Representative Burnett moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Aull	Baker 25	Bowman	Brown 50	Burnett
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
Dusenberg	Flook	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hubbard
Hughes	Johnson	Kuessner	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Nasheed
Norr	Oxford	Page	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Self
Shively	Silvey	Skaggs	Spreng	Storch
Talboy	Todd	Walsh	Walton	Whorton
Wilson 119	Yaeger	Young	Zimmerman	Zweifel

NOES: 102

Avery	Baker 123	Bearden	Bivins	Brandom
Bringer	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Grisamore	Guest	Hobbs	Hoskins
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
Lipke	Loehner	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Wasson	Wells	Weter
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Brown 30	Bruns	Funderburk	Kratky
Wildberger				

On motion of Representative Parson, **House Amendment No. 3** was adopted.

Representative Schad offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 55, Section 304.170, Line 2, by inserting an open bracket "[" and closed bracket "]" around the words "ninety-six" and inserting immediately preceding the word "inches" the following:

"one hundred two"; and

Further amend said section, Page 55, Line 3, by inserting an open bracket before the phrase "; except that"; and

Further amend said section, Page 55, Line 8, by inserting a closed bracket after the word "highway" on said line; and

Further amend said section, Page 58, Lines 107 to 108, by enclosing in brackets the phrase:

"The purpose of this section is to permit a single trip per day by the implement of husbandry from the source of supply to a given farm. 15."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 4** was adopted.

Representative Pollock offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section 301.560, Page 41, Lines 83 to 86, by deleting all of said lines and inserting in lieu thereof the following, **"policy bearing the policy number and name of the insurer and the insured;"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 5** was adopted by the following vote:

AYES: 109

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Brown 50	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Grill	Grisamore	Guest	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Walton	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Zimmerman	Mr Speaker	

NOES: 043

Baker 25	Bland	Bowman	Bringer	Burnett
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Fallert	George	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Norr	Oxford	Page	Roorda	Salva
Schoemehl	Skaggs	Spreng	Storch	Talboy
Villa	Vogt	Walsh	Whorton	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 30	Bruns	Dixon	Funderburk	Hobbs
Johnson	Kratky	Viebrock	Wallace	Wasson
Wildberger				

Representative Wells offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section 301.560, Page 40, Line 68, by deleting the opening bracket "[" and the closing bracket "]" around the word "twenty-five" and deleting the word "**thirty**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 6** was adopted.

Representative Parson offered **House Amendment No. 7.**

Representative Burnett raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Baker (25) offered **House Amendment No. 8.**

Representative Smith (150) raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Spreng offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section A., Page 2, Line 15, by inserting after all of said line the following:

"135.552. 1. As used in this section, the following terms mean:

- (1) "Qualifying motor vehicle", any new self-propelled vehicle not operated exclusively upon tracks, except farm tractors, that is assembled and sold in this state on or after January 1, 2008;**
- (2) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or otherwise due under chapter 147, 148, or 153, RSMo;**
- (3) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax imposed in chapter 147, 148, or 153, RSMo.**

2. For all taxable years beginning on or after January 1, 2008, a taxpayer shall be allowed a tax credit for the purchase of a qualifying motor vehicle. The tax credit amount shall be equal to the amount of state sales tax paid on such qualifying motor vehicle. If the amount of the tax credit issued exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall be refundable. No tax credit granted under this section shall be transferred, sold, or assigned.

3. This section shall not be construed to prohibit the levy of any local sales tax, as defined in section 32.085, RSMo, on any sales of new motor vehicles assembled and sold in the state on or after January 1, 2008. In the event that any political subdivision has enacted a local sales tax on such sales, the political subdivision may, by order or ordinance, exempt such sales from the local sales tax law.

4. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

5. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824, RSMo; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered

pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310, RSMo) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation, slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms "motor vehicle" and "highway" shall have the same meaning pursuant to section 301.010, RSMo. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, RSMo, solely in the transportation of persons or property in interstate commerce;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200, RSMo. **There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials.** For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the air conservation commission which may uphold or reverse such action;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the Missouri clean water commission which may uphold or reverse such action;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530, RSMo;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, RSMo, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, RSMo, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers. As used in this subdivision, the term "feed additives" means tangible personal

property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use;

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536, RSMo, to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441, RSMo, or sections 238.010 to 238.100, RSMo, in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of subsection 2 of this section;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property purchased for use or consumption directly or exclusively in the research and development of prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, RSMo, and licensed pursuant to sections 273.325 to 273.357, RSMo;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) Tangible personal property purchased for use or consumption directly or exclusively in research or experimentation activities performed by life science companies and so certified as such by the director of the department of economic development or the director's designees; except that, the total amount of exemptions certified pursuant to this section shall not exceed one million three hundred thousand dollars in state and local taxes per fiscal year. For purposes of this subdivision, the term "life science companies" means companies whose primary research activities are in agriculture, pharmaceuticals, biomedical or food ingredients, and whose North American Industry Classification System (NAICS) Codes fall under industry 541710 (biotech research or development laboratories), 621511 (medical laboratories) or 541940 (veterinary services). The exemption provided by this subdivision shall expire on June 30, 2003;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441, RSMo, or sections 238.010 to 238.100, RSMo; and

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Spreng, **House Amendment No. 9** was adopted.

Representative Wright offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 53, Section 301.640, Line 50, by inserting after all of said line the following:

"302.720. 1. Except when operating under an instruction permit as described in this section, no person may drive a commercial motor vehicle unless the person has been issued a commercial driver's license with applicable endorsements valid for the type of vehicle being operated as specified in sections 302.700 to 302.780. A commercial driver's instruction permit shall allow the holder of a valid license to operate a commercial motor vehicle when accompanied by the holder of a commercial driver's license valid for the vehicle being operated and who occupies a seat beside the individual, or reasonably near the individual in the case of buses, for the purpose of giving instruction in driving the commercial motor vehicle. A commercial driver's instruction permit shall be valid for the vehicle being operated for a period of not more than six months, and shall not be issued until the permit holder has met all other requirements of sections 302.700 to 302.780, except for the driving test. A permit holder, unless otherwise disqualified, may be granted one six-month renewal within a one-year period. The fee for such permit or renewal shall be five dollars. In the alternative, a commercial driver's instruction permit shall be issued for a thirty-day period to allow the holder of a valid driver's license to operate a commercial motor vehicle if the applicant has completed all other requirements except the driving test. The permit may be renewed for one additional thirty-day period and the fee for the permit and for renewal shall be five dollars.

2. No person may be issued a commercial driver's license until he has passed written and driving tests for the operation of a commercial motor vehicle which complies with the minimum federal standards established by the Secretary and has satisfied all other requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), as well as any other requirements imposed by state law. Applicants for a hazardous materials endorsement must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of Public Law 107-56) as specified and required by regulations promulgated by the Secretary. Nothing contained in this subsection shall be construed as prohibiting the director from establishing alternate testing formats for those who are functionally illiterate; provided, however, that any such alternate test must comply with the minimum requirements of the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) as established by the Secretary.

(1) The written and driving tests shall be held at such times and in such places as the superintendent may designate. A twenty-five dollar examination fee shall be paid by the applicant upon completion of any written or driving test. The director shall delegate the power to conduct the examinations required under sections 302.700 to 302.780 to any member of the highway patrol or any person employed by the highway patrol qualified to give driving examinations.

(2) The director shall adopt and promulgate rules and regulations governing the certification of third-party testers by the department of revenue. Such rules and regulations shall substantially comply with the requirements of 49 CFR Part 383, Section 383.75. A certification to conduct third-party testing shall be valid for one year, and the department shall charge a fee of one hundred dollars to issue or renew the certification of any third-party tester.

(3) Beginning August 28, 2006, the director shall only issue or renew third-party tester certification to junior colleges or community colleges established under chapter 178, RSMo, or to private companies who own, lease, or maintain their own fleet and administer in-house testing to their employees, or to school districts and their agents that administer in-house testing to the school district's or agent's employees. Any third-party tester who violates any of the rules and regulations adopted and promulgated pursuant to this section shall be subject to having his certification revoked by the department. The department shall provide written notice and an opportunity for the third-party tester to be heard in substantially the same manner as provided in chapter 536, RSMo. If any applicant submits evidence that he has successfully completed a test administered by a third-party tester, the actual driving test for a commercial driver's license may then be waived.

(4) Every applicant for renewal of a commercial driver's license shall provide such certifications and information as required by the secretary and if such person transports a hazardous material must also meet the requirements of the U.S. Patriot Act of 2001 (Title X of Public Law 107-56) as specified and required by regulations promulgated by the secretary. Such person shall be required to take the written test for such endorsement. A twenty-five dollar examination fee shall be paid upon completion of such tests.

(5) The director shall have the authority to waive the driving skills test for any qualified military applicant for a commercial driver license who is currently licensed at the time of application for a commercial

driver license. The director shall impose conditions and limitations to restrict the applicants from whom the department may accept alternative requirements for the skills test described in federal regulation 49 C.F.R. 383.77. An applicant must certify that, during the two-year period immediately preceding application for a commercial driver license, all of the following apply:

- (a) The applicant has not had more than one license;
- (b) The applicant has not had any license suspended, revoked, or canceled;
- (c) The applicant has not had any convictions for any type of motor vehicle for the disqualifying offenses contained in chapter 302, RSMo, or federal rule 49 C.F.R. 383.51(b);
- (d) The applicant has not had more than one conviction for any type of motor vehicle for serious traffic violations;
- (e) The applicant has not had any conviction for a violation of state or local law relating to motor vehicle traffic control, but not including any parking violation, arising in connection with any traffic accident, and has no record of an accident in which he or she was at fault;
- (f) The applicant is regularly employed in a job requiring operation of a commercial motor vehicle and has operated the vehicle for at least sixty days during the two years immediately preceding application for a commercial driver license. The vehicle must be representative of the commercial motor vehicle the driver applicant operates or expects to operate;
- (g) The applicant, if on active duty, must provide a notarized affidavit signed by a commanding officer as proof of driving experience as indicated in subdivision (f);
- (h) The applicant, if honorably discharged from military service, must provide a form-DD214 or other proof of military occupational specialty;
- (i) The applicant must meet all federal and state qualifications to operate a commercial vehicle; and
- (j) The applicant will be required to complete all applicable knowledge tests.

3. A commercial driver's license may not be issued to a person while the person is disqualified from driving a commercial motor vehicle, when a disqualification is pending in any state or while the person's driver's license is suspended, revoked, or canceled in any state; nor may a commercial driver's license be issued unless the person first surrenders in a manner prescribed by the director any commercial driver's license issued by another state, which license shall be returned to the issuing state for cancellation.

4. Beginning July 1, 2005, the director shall not issue an instruction permit under this section unless the director verifies that the applicant is lawfully present in the United States before accepting the application. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant under this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 10** was adopted.

Representative St. Onge offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 58, Section 304.170, Line 114, by inserting after all of said line the following:

"407.730. As used in sections 407.730 to 407.748, the following terms mean:

(1) "Advertisement", oral, written, graphic or pictorial statements made in the course of solicitation of business including, without limitation, any statement or representation made in a newspaper, magazine, the car rental company's proprietary web site, or other publication, or contained in any notice, sign, poster, display, circular, pamphlet, or letter which may collectively be called "print advertisements", or on radio or television, which may be referred to as "broadcast commercials";

(2) "Authorized driver":

(a) The renter;

(b) The renter's spouse if the spouse is a licensed driver and satisfies the car rental company's minimum age requirement;

(c) The renter's employee or co-worker if they are engaged in business activity with the person to whom the vehicle is rented, are licensed drivers, and satisfy the rental company's minimum age requirements;

(d) Any person who operates the vehicle during an emergency situation; and

(e) Any person expressly listed by the car rental company on the renter's contract as an authorized driver;

(3) "Blackout date", any date on which an advertised price is totally unavailable to the public;

(4) "Car rental company", any person or entity in the business of renting private passenger vehicles to the public;

(5) "Car rental insurance", products and services that are offered in connection with and incidental to the rental of a motor vehicle under subdivision (10) of subsection 1 of section 375.786, RSMo. This definition of optional car rental insurance or any other definition of insurance shall not include collision damage waiver;

(6) "Clear and conspicuous", that the statement, representation or term being disclosed is of such size, color contrast, and audibility and is so presented as to be readily noticed and understood by the person to whom it is being disclosed. All language and terms should be used in accordance with their common or ordinary usage and meaning;

(7) "Collision damage waiver", any product a consumer purchases from a car rental company in order to waive all or part of his responsibility for damages, or loss of, a rental vehicle;

(8) "Limited time availability", that the advertised rental price is only available for a specific period of time or that the price is not available during certain blackout periods;

(9) "Mandatory charge", any charge, fee, or surcharge consumers must generally pay in order to obtain or operate a rental vehicle;

(10) "Master rental agreement", those documents used by a car rental company for expedited service to members in a program sponsored by the car rental company in which renters establish a profile and select preferences for rental needs which establish the terms and conditions governing the use of a rental car rented by a car rental company by a participant in a master rental agreement;

(11) "Material restriction", a restriction, limitation or other requirement which significantly affects the price of, use of, or a consumer's financial responsibility for a rental car;

(12) "Rental agreement", any document or combination of documents, which, when read together and incorporated by reference to each other, relate to and establish the terms and conditions of the rental of a motor vehicle by an individual; or when such a combination of documents is entered into as part of any written master, corporate, group or individual agreement setting forth the terms and conditions governing the use of a rental car rented by a car rental company.

(13) "Vehicle license fees", charges that may be imposed upon any transaction originating in the State of Missouri to recoup costs incurred by a car rental company to license, title, inspect, register, plate, and pay personal property taxes on rental vehicles.

407.732. 1. Any advertisement shall be nondeceptive and in plain language. Deception may result not only from a direct statement in the advertisement and from reasonable inferences therefrom, but also from omitting or obscuring a material restriction or fact.

2. Print advertisements that include prices for car rentals shall make clear and conspicuous disclosure of the following applicable restrictions:

(1) The expiration date of the price offered if it is available for less than thirty days after the last date of publication of the advertisement;

(2) The existence of any geographical limitations on use;

(3) The extent of any advance reservation or advance payment requirements;

(4) Airport access fee disclosure;

(5) The existence of any penalties or higher rates that may apply for early or late returns for weekly or weekend rentals;

(6) Existence of additional driver fee;

(7) The existence of blackout dates or specific blackout dates for location specific advertisements;

(8) Nonavailability of offer at all locations;

(9) Disclosure of mileage caps and charges;

(10) Disclosure of collision damage waiver costs.

Print advertisements that include prices for car rentals, where mileage fees apply to the advertised price, shall prominently disclose this extraordinary material restriction. Print advertisements that include prices for car rentals, where a company sells collision damage waiver to the public and does not include this cost in the advertised rate, shall prominently disclose the price for collision damage waiver.

3. Broadcast commercials that include prices shall indicate whether substantial restrictions apply and shall include:

- (1) The expiration date of the price offered if the advertised price is available for less than thirty days;
- (2) Nonavailability of the advertised price in certain locations if that is the case;
- (3) Mileage limitations and charges, if any;
- (4) Price or price range for collision damage waiver.

4. Any advertised price shall be available in sufficient quantity to meet reasonably expected public demand for the rental cars advertised for the entire advertised period, beginning on the day on which the advertisement appears and continuing at least thirty days thereafter, unless the advertisement clearly and conspicuously discloses a shorter or longer expiration date for the offer, and in that event, through the expiration date. Prices may be advertised although less cars are available than would be required to meet the expected demand, as long as this limitation is clearly and conspicuously set forth in the advertisement and a reasonable number of cars are made available at the advertised price.

5. [Any surcharge or fee, including, but not limited to, fuel surcharges, airport access fees, and surcharges in lieu of sales tax that consumers must generally pay at any location in order to obtain or operate a rental vehicle shall be clearly and conspicuously disclosed when a price is advertised] **The existence of each additional fee, charge, or surcharge that a consumer must pay and which may be imposed as a separately stated charge on a rental transaction including, but in no way to be construed as limited to, airport fees and vehicle license fees shall be disclosed any time a price is advertised and each fee, charge, or surcharge shall be clearly and conspicuously disclosed on the rental agreement.**

6. A photograph of a rental car shall not be used in a price advertisement unless the advertisement clearly and conspicuously discloses, in immediate proximity to the photograph, the cost to rent the car depicted. A photograph of a rental car shall not be used in an advertisement if the advertisement states directly or by implication that the automobile depicted may be rented under certain conditions and that is not the case.

7. Any price advertised as a "daily price" or "price per day" shall be available for rentals of a single day or more, and any price advertised as a "weekly" rate shall be available for the first week and for subsequent weeks of the same rental. A rental company shall not charge more than a weekly price which was advertised if a customer on a weekly rental returns the car earlier than seven days. A price advertised as a "weekend rate" shall be available on both Saturday and Sunday.

8. Any car rental advertising promotion which extends a free offer or promises a gift or other incentive shall clearly and conspicuously disclose all the terms and conditions for receiving the offer, gift or incentive. A gift, incentive, or other merchandise or service shall not be advertised as free, if the cost of the item, in whole or in part, is included in the advertised rental rate. If the gift or offer is provided by a third party, the car rental company shall be fully responsible for providing the gift or offer under the terms and conditions disclosed.

9. A rental car shall not be advertised using the words "unlimited mileage" or other terms that suggest there are absolutely no mileage restrictions on the use of the rental vehicle only unless there are no geographical restrictions on the use of the vehicle.

10. At the time of the car rental transaction, the car rental company shall disclose the following:

- (1) The total cost, including any airport access fees;
- (2) Geographical limitations;
- (3) Advance reservation or payment requirements;
- (4) Penalties or higher rates that may apply for early or late returns for weekly or weekend rentals;
- (5) Cost of additional driver fee;
- (6) Blackout dates."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 11** was adopted.

Representative Grill offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 29, Section 301.196, Line 30, by inserting after all of said line the following:

"302.171. 1. Beginning July 1, 2005, the director shall verify that an applicant for a driver's license is lawfully present in the United States before accepting the application. The director shall not issue a driver's license for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license issued under this section. An application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this section. A driver's license, nondriver's license, or instruction permit issued under this chapter shall contain the applicant's legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all requirements for the issuance of an intermediate driver's license pursuant to section 302.178. **For persons mobilized and deployed with the United States Armed Forces, an application under this subsection shall be considered satisfactory by the department of revenue if it is signed by a person who holds general power of attorney executed by the person deployed, provided the applicant meets all other requirements set by the director.**

2. An applicant for a license may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection and whether the applicant is interested in inclusion in the organ donor registry and shall also specifically inform the licensee of the ability to consent to organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health and senior services of information obtained from applicants who indicate to the director that they are interested in registry participation, and the department of health and senior services shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304, RSMo.

3. An applicant for a license may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 192.935, RSMo. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 192.935, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for

the license at the time of issuance or renewal of the license. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

4. Beginning July 1, 2005, the director shall deny the driving privilege of any person who commits fraud or deception during the examination process or who makes application for an instruction permit, driver's license, or nondriver's license which contains or is substantiated with false or fraudulent information or documentation, or who knowingly conceals a material fact or otherwise commits a fraud in any such application. The period of denial shall be one year from the effective date of the denial notice sent by the director. The denial shall become effective ten days after the date the denial notice is mailed to the person. The notice shall be mailed to the person at the last known address shown on the person's driving record. The notice shall be deemed received three days after mailing unless returned by the postal authorities. No such individual shall reapply for a driver's examination, instruction permit, driver's license, or nondriver's license until the period of denial is completed. No individual who is denied the driving privilege under this section shall be eligible for a limited driving privilege issued under section 302.309.

5. All appeals of denials under this section shall be made as required by section 302.311.

6. The period of limitation for criminal prosecution under this section shall be extended under subdivision (1) of subsection 3 of section 556.036, RSMo.

7. The director may promulgate rules and regulations necessary to administer and enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

8. Notwithstanding any provisions of this chapter that requires an applicant to provide proof of lawful presence for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who was previously issued a Missouri noncommercial driver's license, noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of lawful presence.

9. Notwithstanding any other provision of this chapter, if an applicant does not meet the requirements of subsection 8 of this section and does not have the required documents to prove lawful presence, the department may issue a one-year driver's license renewal. This one-time renewal shall only be issued to an applicant who previously has held a Missouri noncommercial driver's license, noncommercial instruction permit, or nondriver's license for a period of fifteen years or more and who does not have the required documents to prove lawful presence. After the expiration of the one-year period, no further renewal shall be provided without the applicant producing proof of lawful presence."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Daus offered **House Amendment No. 1 to House Amendment No. 12.**

House Amendment No. 1

to

House Amendment No. 12

AMEND House Amendment No. 12 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 6, Line 19, by inserting after the word "who" an open bracket "["; and

Further amend said amendment, Page 7, Line 11, by inserting after the word "presence" a closed bracket "]""; and

Further amend said amendment, Page 7, Line 11, by inserting after the word "presence" the following:

"has previously held for a period of twelve years a Missouri noncommercial driver's license, Missouri noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of lawful presence.

10. Notwithstanding any other provision of this chapter that requires an applicant to provide proof of lawful presence for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who submits a Certificate of Release or Discharge from Active Duty, DD Form 214, noting honorable discharge shall be exempt from showing proof of lawful presence. If any federal law or regulation prohibits or restricts such an exemption or would result in the loss of federal funding for this state, the

director of revenue shall apply for any federal waiver necessary to allow veterans to utilize a Certificate of Release or Discharge from Active Duty in lieu of the requirements for submission of a birth certificate"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Daus, **House Amendment No. 1 to House Amendment No. 12** was adopted.

On motion of Representative Grill, **House Amendment No. 12, as amended**, was adopted.

Representative Faith offered **House Amendment No. 13**.

Representative Darrough raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Scavuzzo offered **House Amendment No. 14**.

Representative Jones (89) raised a point of order that **House Amendment No. 14** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Schlottach offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 51, Section 301.570, Line 1, by inserting before all of said line the following:

"301.569. 1. An out-of-state show promoter of recreation vehicles, as that term is defined in section 700.010, RSMo, may hold recreation vehicle shows or exhibits with recreation vehicles within this state if the following conditions exist:

(1) The show or exhibition has a minimum of ten recreation vehicle dealers licensed as motor vehicle dealers in this state; and

(2) More than fifty percent of the participating recreation vehicle dealers are licensed motor vehicle dealers in this state.

2. A violation of subsection 1 of this section shall result in a five thousand dollar fine."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schlottach, **House Amendment No. 15** was adopted.

Representative Dethrow offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 17, Section 301.140, Line 75, by inserting after all of said line the following:

"301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Other authorized health care practitioner" includes advanced practice registered nurses licensed pursuant to chapter 335, RSMo, chiropractors licensed pursuant to chapter 331, RSMo, podiatrists licensed pursuant to chapter 330, RSMo, and optometrists licensed pursuant to chapter 336, RSMo;

(4) "Physically disabled", a natural person who is blind, as defined in section 8.700, RSMo, or a natural person with medical disabilities which prohibits, limits, or severely impairs one's ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:

(a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or

(b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(c) Is restricted by a respiratory or other disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(d) Uses portable oxygen; or

(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

(f) A person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;

(5) "Physician", a person licensed to practice medicine pursuant to chapter 334, RSMo;

(6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

(7) "Temporarily disabled person", a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;

(8) "Temporary windshield placard", a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician's statement;

(9) "Windshield placard", a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician's statement.

2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician's statement shall:

(1) Be on a form prescribed by the director of revenue;

(2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;

(3) Include the physician's or other authorized health care practitioner's license number; and

(4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles

used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days proceeding the date the application is made and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.

9. No additional fee shall be paid to the director for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "DISABLED" as prescribed in this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a disabled person. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The [fee for each removable windshield placard shall be four dollars and the] removable windshield placard shall be renewed every [two] **four** years. The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who has not been issued disabled person license plates[, at the appropriate fee].

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown, one additional temporary windshield placard may be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician or other authorized health care practitioner which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section.

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person

is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every fourth year. Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days. **The director may stagger the requirement of a physician's statement on all renewals for the initial implementation of a four-year period.**

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, RSMo, or the Missouri state board of nursing established in section 335.021, RSMo, with respect to physician's statements signed by advanced practice registered nurses, or the Missouri state board of chiropractic examiners established in section 331.090, RSMo, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, RSMo, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, RSMo, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining a disabled license plate or placard presents proof of disability in the form of a statement from the United States Veterans' Administration verifying that the person is permanently disabled, the applicant shall be exempt from the four-year certification requirement of this subsection for renewal of the plate or placard. Initial applications shall be accompanied by the physician's statement required by this section. **Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person sixty-five years of age or older who provided the physician's statement with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled persons license plates or windshield placards.**

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the director, establish a list of all Missouri physicians and other authorized health care practitioners and of any other information necessary to administer this section.

20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit a statement stating this fact, in addition to the physician's statement. The statement shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this statement with each application for license plates. No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420.

21. The director of revenue shall retain all physicians' statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or

otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be four dollars.

27. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis."; and

Further amend said bill, Page 60, Section B, Line 2, by inserting after all of said line the following:

"Section C. The repeal and reenactment of section 301.142 of section A of shall become effective on January 1, 2008."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dethrow, **House Amendment No. 16** was adopted.

Representative Witte offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section 301.550, Page 36, Line 39, by inserting before the "." on said line the following:

", however, a Missouri-based coach conversion company that converts bus shells into living quarters shall not be required to make the six or more motor vehicle sales in any calendar year to obtain licensure as a motor vehicle dealer under sections 301.550 to 301.573"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 17** was adopted.

Representative Flook offered **House Amendment No. 18**.

House Amendment No. 18 was withdrawn.

Representative Dusenberg offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Section 301.640, Page 53, Line 50, by inserting immediately after said line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points
(except any violation of municipal stop sign ordinance where no accident is involved 1 point)

(2) Speeding

In violation of a state law 3 points
In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060, RSMo. 12 points

In violation of any county or municipal ordinance 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016, RSMo. 4 points

In violation of a county or municipal ordinance 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction 2 points

(b) For the second conviction. 4 points

(c) For the third conviction 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges .. 12 points

(7) Obtaining a license by misrepresentation 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight

In violation of state law 8 points

In violation of a county or municipal ordinance or federal law or regulation 8 points

(11) Any felony involving the use of a motor vehicle 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025, RSMo 4 points

(14) Endangerment of a highway worker in violation of section 304.585, RSMo 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585, RSMo. 12 points

(16) For a conviction of violating an ordinance in any home rule city with more than four hundred thousand inhabitants and located in more than one county that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency 4 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued

a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Talboy offered **House Substitute Amendment No. 1 for House Amendment No. 19.**

Representative Jones (89) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 19** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Dusenbergh, **House Amendment No. 19** was adopted.

Representative Onder offered **House Amendment No. 20.**

House Amendment No. 20

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 37, Section 301.550, Line 67, by inserting after all of said line the following:

"(13) "Recreational motor vehicle dealer", a dealer of new or used motor vehicles designed, constructed or substantially modified for use as temporary housing quarters, including sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle;"; and

Further amend said section by renumbering accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Onder, **House Amendment No. 20** was adopted.

Representative St. Onge offered **House Amendment No. 21.**

House Amendment No. 21

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 15, Section 301.130, Lines 93 to 104, by deleting all of said lines and inserting in lieu thereof the following:

"9. [Commencing] No later than January 1, 2009, the director of revenue shall [cause to be reissued] commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to

all other fees required by law, applicants for registration of vehicles with license plates that expire [between January 1, 2009, and December 31, 2011] **during the period of reissuance**, applicants for registration of trailers or semitrailers with license plates that expire [between January 1, 2009, and December 31, 2011] **during the period of reissuance**, and applicants for registration of vehicles that are to be issued new license plates **during the period of reissuance** shall pay an additional fee, based on the actual cost of the reissuance, to cover the cost of the newly reissued plates required by this subsection. The additional fee prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 21** was adopted.

Representative St. Onge offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 12, Section 301.020, Line 88, by inserting after all of said line the following:

"301.030. 1. The director shall provide for the retention of license plates by the owners of motor vehicles, other than commercial motor vehicles, and shall establish a system of registration on a monthly series basis to distribute the work of registering motor vehicles as uniformly as practicable throughout the twelve months of the calendar year. For the purpose of assigning license plate numbers, each type of motor vehicle shall be considered a separate class. Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be registered for a period of twelve consecutive calendar months. There are established twelve registration periods, each of which shall start on the first day of each calendar month of the year and shall end on the last date of the twelfth month from the date of beginning.

2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon the public highways of this state, to and including the fifteenth day of any given month, shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the month of such operation; motor vehicles, other than commercial motor vehicles, operated for the first time on the public highways of this state after the fifteenth day of any given month shall be subject to registration and payment of a fee for the twelve-month period commencing the first day of the next following calendar month.

3. All commercial motor vehicles and trailers, except those licensed under section 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279, shall be registered either on a calendar year basis or on a prorated basis as provided in this section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be operated under agreements as provided for in sections 301.271 to 301.279 shall be payable not later than the last day of February of each year, except when such vehicle is licensed between April first and July first the fee shall be three-fourths the annual fee, when licensed between July first and October first the fee shall be one-half the annual fee and when licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Local commercial motor vehicle license plates [shall] **may** also be so stamped, marked or designed as to indicate they are to be used only on local commercial motor vehicles and, in addition to such stamp, mark or design, the letter "F" shall also be displayed on local commercial motor vehicle license plates issued to motor vehicles used for farm or farming transportation operations as defined in section 301.010 in the manner prescribed by the advisory committee established in section 301.129. In addition, all commercial motor vehicle license plates [shall] **may** be so stamped or marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

4. The director shall, upon application, issue registration and license plates for nine thousand pounds gross weight for property-carrying commercial motor vehicles referred to herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided in section 301.057."; and

Further amend said bill, Page 53, Section 301.640, Line 50, by inserting after all of said line the following:

"301.2998. Notwithstanding any other provisions of this chapter, which establishes the issuance of a specialty plate, if no applications for such plate have been received within five years from the effective date of the section authorizing the plate, then the department of revenue no longer will be required to accept applications and issue such plate."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 22** was adopted.

Representative Davis offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, Page 58, Section 304.170, by inserting after all of said section the following:

"304.281. 1. Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Unless otherwise directed by a pedestrian control signal, as provided in section 304.291, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

(b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in section 304.291, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication

(a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection at a clearly marked stop line but, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in paragraph (b);

(b) The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

(c) Unless otherwise directed by a pedestrian control signal as provided in section 304.291, pedestrians facing a steady red signal alone shall not enter the roadway.

(4) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provision of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

2. Notwithstanding the provisions of section 304.361, violation of this section is a class C misdemeanor.

3. A person operating a motorcycle who violates this section or section 304.301 by entering or crossing an intersection controlled by a traffic control signal against a red light shall have an affirmative defense to that charge if the person establishes all of the following conditions:

- (1) The motorcycle has been brought to a complete stop;
- (2) The traffic control signal continues to show a red light for an unreasonable time;
- (3) The traffic control is apparently malfunctioning or, if programmed or engineered to change to a green light only after detecting the approach of a motor vehicle, the signal has apparently failed to detect the arrival of the motorcycle; and
- (4) No motor vehicle or person is approaching on the street or highway to be crossed or entered or is so far away from the intersection that it does not constitute an immediate hazard.

The affirmative defense of this section applies only to a violation for entering or crossing an intersection controlled by a traffic control signal against a red light and does not provide a defense to any other civil or criminal action."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Frame raised a point of order that **House Amendment No. 23** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Davis moved that **House Amendment No. 23** be adopted.

Which motion was defeated.

On motion of Representative Tilley, **HCS SCS SB 82, as amended**, was adopted.

On motion of Representative Tilley, **HCS SCS SB 82, as amended**, was read the third time and passed by the following vote:

AYES: 113

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Grill	Grisamore	Guest	Haywood
Hobbs	Hodges	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kingery	Komo	Kraus
Lampe	Lembke	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Schoemehl	Self

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Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Villa	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Mr Speaker		

NOES: 038

Baker 25	Bland	Bowman	Brown 50	Burnett
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
Flook	George	Harris 23	Harris 110	Holsman
Hughes	Johnson	Kuessner	LeVota	Low 39
Lowe 44	Nasheed	Norr	Oxford	Page
Roorda	Scavuzzo	Schieffer	Skaggs	Storch
Talboy	Todd	Vogt	Walsh	Whorton
Wright-Jones	Zimmerman	Zweifel		

PRESENT: 001

Liese

ABSENT WITH LEAVE: 011

Brown 30	Bruns	Cooper 158	Dethrow	Funderburk
Hubbard	Kelly	Kratky	Salva	Viebrock
Wildberger				

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 384, relating to license plate tabs, was taken up by Representative Daus.

Representative Pratt assumed the Chair.

Representative Zimmerman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 384, Page 1, in the Title, Line 2, by deleting the words "stolen license plate tabs" and inserting in lieu thereof the following:

"deceptive practices"; and

Further amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 384, Page 4, Section B, Line 1, by inserting immediately preceding all of said line the following:

"407.485. 1. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items for profit unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "DONATIONS ARE NOT FOR CHARITABLE ORGANIZATIONS AND WILL BE RESOLD FOR PROFIT".

2. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items where some or all of the proceeds from the sale are directly given to a not for profit entity unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: " DONATIONS TO THE FOR PROFIT COMPANY: (name of the company) ARE SOLD FOR PROFIT AND

(% of proceeds donated to the not for profit) % OF ALL PROCEEDS ARE DONATED TO (name of the non-profit beneficiary organization's name)."

3. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items, where such for profit entity is paid a flat fee, not contingent upon the proceeds generated by the sale of the collected goods, and 100% of the proceeds from the sale of the items are given directly to the not for profit, unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "THIS DONATION RECEPTACLE IS OPERATED BY THE FOR PROFIT ENTITY: (name of the for profit/individual) ON BEHALF of (name of the non-profit beneficiary organization's name)".

4. Nothing in section 407.485 shall apply to paper, glass, or aluminum products that are donated for the purpose of being recycled in the manufacture of other products.

5. Any entity which, on or before June 1, 2007, has distributed 100 or more separate public receptacles within the state of Missouri to which the provisions of subsections 2 or 3 of this section would apply shall be deemed in compliance with the signage requirements imposed by this section for the first six months after the effective date of this legislation, provided such entity has made or is making good faith efforts to bring all signage in compliance with the provisions of this section and all such signage is in complete compliance no later than six months after the effective date of this legislation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zimmerman, **House Amendment No. 1** was adopted.

Representative St. Onge offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 384, Page 4, Section 301.301, Line 8, by inserting after all of said line the following:

"304.284. 1. Notwithstanding any provision of law to the contrary, including but not limited to, sections 304.271, 304.281, 304.361, and 304.570, any person who commits a steady red light violation that is detected and enforced through an automated photo red light enforcement system is guilty of an infraction.

2. A penalty imposed for a violation detected pursuant to an automated photo red light enforcement system shall not be deemed a moving violation and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall such imposition of a penalty be subject to merit rating for insurance purposes and no surcharge points shall be imposed in the provision of motor vehicle insurance coverage.

3. In no case shall points be assessed against any person under section 302.302, RSMo, for a violation detected by an automated photo red light enforcement system.

4. Signal phase timings at intersections equipped with a system shall be certified by the Missouri department of transportation or other such appropriate agency before the photo enforcement devices may be activated for enforcement purposes. Any such timing shall be set by the department or other such appropriate agency and shall be consistent with traffic engineering standards. In no case, however, shall a private vendor have the ability to control the signal phase timing connected with a system.

5. As used in this section, the term "automated photo red light enforcement system" shall mean a device, consisting of a camera or cameras and a vehicle sensor or sensors, installed to work in conjunction with a traffic control signal, which is used to produce recorded images of motor vehicles entering an intersection against a red signal indication."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Nieves assumed the Chair.

HCS SCS SB 384, as amended, with House Amendment No. 2, pending, was laid over.

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Representative Pratt resumed the Chair.

HCS SCS SB 156, relating to agriculture, was taken up by Representative Quinn (7).

Representative Quinn (7) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 144.030, Page 19, Line 273, by deleting all of said line and inserting in lieu thereof the following:

"or sections 238.010 to 238.100, RSMo; and"; and

Further amend said bill, Section 263.232, Page 24, Line 13, by deleting all of said line and inserting in lieu thereof the following:

"(3) To control the spread of spotted knapweed (Cetaurea"; and

Further amend said bill, section, and page, Line 17, by deleting all of said line and inserting in lieu thereof the following:

"(4) To control the spread of sericea lespedeza (Lespedeza cuneata),"; and

Further amend said bill, Section 414.420, Page 40, Lines 9 through 11, by deleting all of said lines and inserting in lieu thereof the following:

"to,] **shall be** persons engaged in [the ethanol production industry] **industries that produce alternative fuels, wholesale alternative fuels, or retail alternative fuels**, and no more than two of such members shall **represent an alternative fuel producer, retailer, or wholesaler and no more than three of such members shall** be of the same political party. The members appointed by the governor shall be appointed"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SCS SB 156, with House Amendment No. 1, pending, was laid over.

HOUSE BILL WITH SENATE AMENDMENT

SCS HB 791, relating to health carrier claims information, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **SCS HB 791** was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hughes	Hunter

Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 002

Bland Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Bruns	Cooper 158	Funderburk	Hubbard
Kratky	Marsh	Meadows	Schoemehl	Wildberger

On motion of Representative Wilson (130), **SCS HB 791** was truly agreed to and finally passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman

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Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 30	Bruns	Cooper 158	Funderburk	Guest
Hubbard	Kratky	Marsh	Meadows	Wildberger

Representative Pratt declared the bill passed.

THIRD READING OF SENATE BILL - REVISION

HCS SRB 613, relating to the revision of Missouri statutes, was taken up by Representative Wasson.

On motion of Representative Wasson, **HCS SRB 613** was adopted.

On motion of Representative Wasson, **HCS SRB 613** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka

Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 123	Brown 30	Bruns	Cooper 158	Funderburk
Holsman	Hubbard	Kratky	Marsh	Meadows
Wildberger				

Representative Pratt declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS#2 SB 406, relating to employee benefit plans, was taken up by Representative Wallace.

Representative Wallace moved that the House refuse to recede from its position on **HCS#2 SB 406** and grant the Senate a conference.

Which motion was adopted.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 2495 - Rules
HR 2548 - Rules

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 391 - Special Committee on Energy and Environment

COMMITTEE REPORTS

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 368**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 481**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 516**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 21**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 130**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 299** and **SS SCS SB 616**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 510**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 605**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 671**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Family Services, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **SB 323**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 313**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 482**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 664**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SS SB 654**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SB 140**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 163**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 199 & 207**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 328**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 333**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

The following member's presence was noted: Kratky.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 2:00 p.m., Monday, May 7, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-seventh Day, Wednesday, May 2, 2007, Page 1495, Line 15, by deleting the "." at the end of said line and inserting in lieu thereof the following, ", with a time limit of 2 hours for debate on Third Reading."

AFFIDAVITS

I, State Representative Charlie Denison, District 135, hereby state and affirm that my vote as recorded on Page 1439 of the House Journal for May 2, 2007 showing that I voted Absent with Leave was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2007.

/s/ Charlie Denison
State Representative

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State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Kathlyn Fares, District 91, hereby state and affirm that my vote as recorded on Page 1493 of the House Journal for May 2, 2007 showing that I voted Absent with Leave was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of May 2007.

/s/ Kathlyn Fares
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of May in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 2.
Executive session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 3.
Review of Department of Agriculture performance measures.

CONFERENCE COMMITTEE - APPROPRIATIONS

Friday, May 4, 2007, 8:00 a.m. Senate Lounge.
Executive session may follow. CANCELLED
Public hearings to be held on: SCS HB 1, SCS HCS HB 2, SCS HCS HB 3,
SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8,
SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HCS HB 12, SCS HCS HB 13

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, 8:30 a.m. Senate Lounge.
Public hearing to be held on: HCS SB 81

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, May 8, 2007, Hearing Room 3 upon afternoon adjournment.
Executive session may follow.
Public hearing to be held on: HB 1232

HEALTH CARE POLICY

Monday, May 7, 2007, 12:00 p.m. Hearing Room 5.
Executive session will be held on: HCS SCS SB 333

HEALTH CARE POLICY

Tuesday, May 8, 2007, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: SCS SB 530

RULES

Tuesday, May 8, 2007, 8:30 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HR 2495, HR 2548

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, May 8, 2007, 8:30 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HCS HB 1108, HCS SS SCS SB 5, HCS SS SCS SB 85,
HCS SCS SB 226, HCS SB 543, HCS SB 130, HCS SS SCS SB 429, SCS SB 482,
SB 671, HCS SB 323, SB 510, HCS SCS SB 313, HCS SCS SB 664, SB 605,
HCS SCS SB 299 & SS SCS SB 616

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 6.
Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Monday, May 7, 2007, Hearing Room 3 upon afternoon adjournment.
Executive session. AMENDED

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 5.
Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, upon morning recess. To Be Announced.
Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, Hearing Room 6 upon afternoon adjournment.
Executive session. AMENDED

HOUSE CALENDAR

SIXTY-NINTH DAY, MONDAY, MAY 7, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821 - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter

53 HCS HB 630 - Schlottach
54 HB 646 - Young
55 HCS HB 919 - Schneider
56 HCS HB 944 - Cooper (120)
57 HCS HB 1264 - Page
58 HCS HB 425 - Pearce
59 HCS HB 429 - Jones (117)
60 HCS HB 716 - Davis
61 HCS HB 95 - Sater
62 HB 479 - Darrough
63 HB 733 - Page
64 HCS HB 769 - Bruns
65 HCS HB 802 - Page
66 HB 1155 - Wright-Jones
67 HCS HB 442 - Kingery
68 HB 727 - Portwood
69 HB 888 - Grisamore
70 HCS HB 923 - Kratky
71 HB 1251 - Komo
72 HCS HB 331 - Lipke
73 HCS#2 HB 735 - Cooper (158)
74 HCS HB 833 - Wasson
75 HB 1104 - Hughes
76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
77 HCS HB 886 - Schlottach
78 HCS HB 869 - Holsman
79 HB 1052 - Brown (50)
80 HCS HB 1272 - El-Amin
81 HCS HB 1023 - Quinn (7)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILLS FOR THIRD READING

1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
2 HB 758 - Brown (50)

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

1 HCR 28, (2-27-07, Pages 438-439) - Walton
2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
3 HCR 33, (3-30-07, Pages 872-873) - Guest
4 HCR 43, (4-12-07, Pages 1081-1082) - Page
5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin

- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda

SENATE BILLS FOR THIRD READING

- 1 SCS SB 91 - St. Onge
- 2 SB 135 - Kingery
- 3 HCS SCS SB 232 - Cooper (158)
- 4 HCS SCS SB 384, as amended, HA 2, pending, E.C. - Daus
- 5 HCS SCS SB 520 - Hunter
- 6 SB 352 - Ruzicka
- 7 HCS SB 593 & SCS SB 594 - May
- 8 SB 648 - Kelly
- 9 HCS SB 666 - Grill
- 10 HCS SCS SB 156,
HA 1, pending, E.C. - Quinn (7) (90 minutes debate on Third Reading)
- 11 HCS SS SCS SB 320 - Quinn (7)
- 12 SCS SB 418 - Weter
- 13 SB 513 - Wasson
- 14 HCS SB 218 - Deeken
- 15 SB 433 - Pratt
- 16 HCS SS SCS SB 22,
(Fiscal Review 5-2-07), E.C. - Schneider (2 hours for debate on Third Reading)
- 17 SS#6 SCS SB 389- Bearden (2 hours debate on Third Reading)
- 18 SCS SB 4, E.C. - Icet
- 19 HCS SCS SB 47 - Bruns
- 20 HCS SCS SB 54 - Bivins
- 21 HCS SS SB 112 - Faith
- 22 SB 271 - Pearce
- 23 HCS SS#2 SCS SB 161 - Muschany
- 24 HCS SCS SB 86, E.C. - Sutherland
- 25 HCS SB 315 - Munzlinger
- 26 HCS SCS SB 52, E.C. - St. Onge (150 minutes for debate on Third Reading)
- 27 SB 162 - Deeken
- 28 SB 171 - Wasson
- 29 HCS SCS SB 197 - Yates
- 30 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 31 SS SB 417 - Parson
- 32 HCS SB 419 - Hobbs
- 33 HCS SCS SB 497 - Wilson (119)
- 34 SCS SB 525 - Wasson
- 35 SCS SB 526 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HCS HB 18 - Icet
- 3 SCS HCS HB 17 - Icet

BILLS CARRYING REQUEST MESSAGES

- 1 CCS SS SCS HCS HB 327, as amended
(House refuses to grant conference/request Senate take up and pass bill) - Richard
- 2 HCS SB 166, (request House recede/take up and pass bill) - Wood

BILLS IN CONFERENCE

- 1 HCS SB 30, as amended - Stevenson
- 2 HCS SCS SB 308, as amended - Wasson
- 3 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 4 SCS HB 1 - Icet
- 5 SCS HCS HB 2 - Icet
- 6 SCS HCS HB 3 - Icet
- 7 SCS HCS HB 4 - Icet
- 8 SCS HCS HB 5 - Icet
- 9 SCS HCS HB 6 - Icet
- 10 SCS HCS HB 7 - Icet
- 11 SCS HCS HB 8 - Icet
- 12 SCS HCS HB 9 - Icet
- 13 SCS HCS HB 10 - Icet
- 14 SCS HCS HB 11, as amended - Icet
- 15 SCS HCS HB 12 - Icet
- 16 SCS HCS HB 13 - Icet
- 17 HCS SCS SB 64, as amended - Wallace
- 18 HCS SB 81, as amended - Schlottach
- 19 HCS SCS SB 198 - Pollock
- 20 HCS SB 25, as amended - Franz
- 21 HB 574, SA 1, SA 3, E.C. - St. Onge
- 22 SS HB 665, as amended (conferees to exceed differences) - Ervin
- 23 HCS#2 SB 406, as amended - Wallace

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SIXTY-NINTH DAY, MONDAY, MAY 7, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

You, LORD, are the one who sits on the earth's horizon; its inhabitants are like grasshoppers before You. You stretch out the sky like a thin curtain, and spread it out like a pitched tent. You humble rulers and make our own plans insignificant in light of world events.

We choose not be wise in our own estimation; but, instead, we revere You LORD and turn away from all malice. We pay close attention to Your wisdom; listening carefully for Your wise counsel.

We are thankful, to know, that You give strength to the weary; renewed energy to those who lack power. This knowledge allows us to face the impossibilities of this week and complete the tasks ahead.

Now may You, God of all hope, fill us with all joy and peace in believing, so that we would abound in hope by the power of Your Spirit.

We ask these things in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-eighth day was approved as printed.

SPECIAL RECOGNITION

Amber Seyer, Miss Missouri, was introduced by Representative Brandom.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3154 through House Resolution No. 3248

THIRD READING OF SENATE BILL

SS#6 SCS SB 389, relating to higher education, was taken up by Representative Bearden.

Representative Cooper (120) assumed the Chair.

Representative Zweifel offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute No. 6 for Senate Committee Substitute for Senate Bill No. 389, Pages 16-23, Sections 173.355, 173.360, 173.385, 173.386, 173.392, 173.393 and 173.425, by deleting all of said sections.

Representative Zweifel moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kuessner	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Witte	Yaeger	Young	Zimmerman	Zweifel

NOES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Ervin	Faith	Fares
Fisher	Flook	Franz	Guest	Hobbs
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lampe	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bowman	Curls	Emery	Funderburk
Grisamore	Johnson	Kratky	Marsh	Stevenson
Wildberger	Wright-Jones			

Representative Baker (25) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute No. 6 for Senate Committee Substitute for Senate Bill No. 389, Page 41, Section 1, Line 27, by inserting after all of said line the following:

"Section 2. If the bonding rating of a public college or university of the state, as defined in section 173.355, RSMo, is lowered by any one of the nationally recognized bond rating agencies as a result of any provision of section 173.1003, RSMo, then all of the provisions of section 173.1003, RSMo, shall be rendered null and void as the provisions apply to that public college or university."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Baker (25) moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative McClanahan offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Substitute No. 6 for Senate Committee Substitute for Senate Bill No. 389, Page 23, Section 173.475, Lines 1-7, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative McClanahan moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Daus	Donnelly	El-Amin
Fallert	Flook	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meadows	Nasheed	Norr	Oxford
Page	Quinn 9	Robb	Robinson	Roorda
Rucker	Sander	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Vogt	Whorton	Witte	Yaeger
Zimmerman	Zweifel			

NOES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Franz	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Lembke	Lipke	Loehner
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder

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Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Ruestman	Ruzicka	Sater
Schaaf	Schad	Scharnhorst	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	St. Onge
Stream	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Young	Mr Speaker	

PRESENT: 004

Brown 50	Johnson	Lowe 44	Spreng
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ABSENT WITH LEAVE: 013

Bland	Bowman	Curls	Funderburk	Grisamore
Kratky	Marsh	Salva	Schlottach	Stevenson
Sutherland	Wildberger	Wright-Jones		

On motion of Representative Bearden, **SS#6 SCS SB 389** was truly agreed to and finally passed by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Rucker	Ruestman
Ruzicka	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 064

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Davis	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Muschany
Nasheed	Norr	Oxford	Page	Quinn 9
Robb	Robinson	Roorda	Salva	Sander
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd

Villa	Vogt	Walsh	Walton	Witte
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bowman	Curls	El-Amin	Funderburk
Kratky	Wildberger	Wright-Jones		

Representative Cooper (120) declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 821, relating to the Unborn Child Pain Prevention Act, was taken up by Representative Onder.

Representative Nance assumed the Chair.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 821, Page 4, Section 188.281, Lines 5-10, by deleting all of said lines and inserting in lieu thereof the following:

“Medical studies, printed in peer-review journals, indicate that there is no conclusive proof as to exactly when the fetus develops the physiological capability to sense pain, but the evidence to date would point to a significantly later time (twenty-seven to thirty weeks gestation) than the approximately twenty weeks time frame in which the Missouri legislature believes the fetus may feel pain. The risks of increased anesthesia or analgesia, as recommended by the Missouri legislature, include respiratory depression and apnea.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HB 821, with House Amendment No. 1, pending, was laid over.

HCS HB 802, relating to human papillomavirus immunizations, was taken up by Representative Page.

Representative Page offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 802, Page 1, Section 167.181, Lines 5-9, by striking all of said lines and inserting in lieu thereof the following:

“parish schools. Such”; and

Further amend said section, Pages 2-3, Lines 26-50, by striking all of said lines and renumber said section accordingly; and

Further amend said bill, Section 167.181, Page 2, by inserting after all of said section, the following:

"167.182. 1. This section shall be known as the "Cervical Cancer Prevention Public Awareness Campaign."

(1) The department of health and senior services shall create a public awareness campaign to educate parents, health care providers, and women about the causes and risk factors associated with cervical cancer, the human papillomavirus (HPV), and preventing cervical cancer. The public awareness campaign shall distribute information that includes:

(a) The risk factors for developing cervical cancer, the symptoms of the disease, how it may be diagnosed and its possible consequences if untreated;

(b) The connection between human papillomavirus and cervical cancer, how human papillomavirus is transmitted, how transmission may be prevented, including abstinence as the only completely effective way to prevent sexually transmitted diseases, and the relative risk of contracting human papillomavirus for elementary and secondary school students;

(c) The latest scientific information on the immunization against the human papillomavirus infection and the vaccine's effectiveness, including the vaccine's failure rates against causes of cervical cancer, and a complete and comprehensive description of the possible side effects of the vaccination;

(d) A statement that a pap smear is still critical for the detection of precancerous changes in the cervix to allow for treatment before cervical cancer develops; and

(e) A statement that any questions or concerns concerning immunizing the child against human papillomavirus could be answered by contacting a health care provider.

2. Beginning with the 2008 - 2009 school year, the department of elementary and secondary education shall establish procedures by which each school district shall provide, to the department of health and senior services, the names and addresses of all parents, conservators, and guardians of female students who are entering grade six. The department of health and senior services shall prescribe the form and content of information regarding the human papillomavirus and cervical cancer to be made available to the parents, conservators, and guardians of these students. The department shall establish procedures to ensure that the information provided:

(1) Includes the connection between human papillomavirus and cervical cancer;

(2) States that an immunization against the most common human papillomavirus infections is available;

(3) Contains age appropriate information so that a parent, conservator, or guardian may share the information with the student if he or she decides to do so;

(4) Contains the elements described in subsection 1 of this section; and

(5) Is mailed directly to the attention of the parents, conservators, or guardians of each such female student by the department.

(6) Shall not be directly distributed to any minor student by either the department of health and senior services or the department of elementary and secondary education; however, nothing in this section shall prohibit any local school board from authorizing a distribution policy.

3. Each informational mailing sent to the parents, conservators, and guardians of female students entering grade six shall include a voluntary return form for the parents, conservators, or guardians of such students to return, not later than twenty school days after the first day of school, a written statement prescribed by the department of health and senior services that:

(1) States that the parent, conservator, or guardian has received the information required under subsection 2 of this section and indicates if the student has received or is receiving the vaccination, or if the parent, conservator or guardian has chosen not to have the student immunized; and

(2) Is to be used for statistical purposes only and shall not be used to personally identify any parent, conservator or guardian, or any student.

4. Nothing in this section shall be construed to prevent a student from school attendance if such parent, conservator or guardian has opted not to have the student receive the human papillomavirus vaccination or has not returned the form prescribed in this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (155) offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 802, Page 2, Line 30, by inserting after the word “**section.**” the following:

“5. The human papillomavirus vaccination may be administered by any duly licensed physician or by someone under the physician’s direction. If the parent, conservator or guardian is unable to pay, the child shall be immunized at public expense by a physician or nurse at or from the county, city public health center or by a nurse or physician in the private office or clinic of the child's personal physician with the costs of immunization paid through the state Medicaid program, private insurance or in a manner to be determined by the department of health and senior services subject to state and federal appropriations, and after consultation with the school superintendent and the advisory committee established in section 192.630, RSMo.

6. Funds for the administration of this section and for the purchase of vaccines for children of families unable to afford them shall be appropriated to the department of health and senior services from general revenue or from federal funds if available.

7. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (155) moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Onder offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 802, Page 2, Line 25, by deleting the word “**and**”; and

Further amend said bill, Page 2, Line 27, by inserting after the word “**student**” the following:

”; and

(3) Shall include, in font size not less than 16, the following statement:

“Your choice to vaccinate or not vaccinate your daughter, or your choice not to return this form, shall not be used to deny your daughter school admission” ”; and

Further amend said bill, Page 2, Line 28, by inserting after “**4.**” the following:

“After statistical information is compiled, personal information including names and addresses of students, parents, and guardians and decision regarding human papillomavirus vaccination will be expunged from department records.”; and

Further amend said bill, Page 2, Line 28, by deleting "4" and inserting in lieu thereof "5"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 802, with House Amendment No. 2 to House Amendment No. 1, and House Amendment No. 1, pending, was laid over.

THIRD READING OF SENATE BILL

HCS SCS SB 156, with House Amendment No. 1, pending, relating to agriculture, was taken up by Representative Quinn (7).

Representative Cooper (120) resumed the Chair.

Representative Munzlinger offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 1, Line 4, by inserting immediately after said line the following:

Further amend said bill, Page 20, Section 144.030, Line 279, by inserting immediately after said line the following:

"144.051. 1. As used in this section, "machinery and equipment" means new or used farm tractors and such other new or used machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for the planting, harvesting, processing, or transporting of a forestry product, and the purchase of motor fuel, as defined in section 142.800, RSMo, therefor which is:

- (1) Used exclusively for forestry purposes;**
- (2) Used on land owned or leased for the purpose of planting, harvesting, processing, or transporting forestry products; and**
- (3) Used directly in planting, harvesting, processing, or transporting forestry products.**

2. Notwithstanding any other provision of law to the contrary, for purposes of department of revenue administrative interpretation, all machinery and equipment used solely for the planting, harvesting, processing, or transporting of a forestry product shall be considered farm machinery, and shall be exempt from state and local sales and use tax, as provided for other farm machinery in section 144.030." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Munzlinger, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Quinn (7), **House Amendment No. 1, as amended**, was adopted.

Representative Dempsey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 18, Section 144.030, Lines 234 and 235, by deleting all of said lines and inserting in lieu thereof the following:

"(33) Tangible personal property **and utilities** purchased for use or consumption directly or exclusively in the research and development of **agricultural/biotechnology and plant genomics products and** prescription pharmaceuticals consumed by humans or"; and

Further amend said bill, Page 19, Section 144.030, Line 260, by deleting all of said line and inserting in lieu thereof the following:

"[(37) Tangible personal property purchased for use or consumption directly or exclusively"; and

Further amend said bill, Page 19, Section 144.030, Line 269, by deleting all of said line and inserting in lieu thereof the following:

"(38)] All sales or other transfers of tangible personal property to a lessor who leases the"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 2** was adopted.

Representative Fisher offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Pages 10 to 12, Section 142.031, Lines 1 to 71, by deleting all of said lines and inserting in lieu thereof the following:

"142.031. 1. As used in this section the following terms shall mean:

(1) "Biodiesel", fuel as defined in ASTM Standard D-6751 or its subsequent standard specifications for biodiesel fuel (B100) blend stock for distillate fuels;

(2) "Missouri qualified biodiesel producer", a facility that produces biodiesel, is registered with the United States Environmental Protection Agency according to the requirements of 40 CFR 79, and:

(a) Is at least fifty-one percent owned by agricultural producers who are residents of this state and who are actively engaged in agricultural production for commercial purposes; or

(b) At least eighty percent of the feedstock used by the facility originates in the state of Missouri. For purposes of this section, "feedstock" means [a Missouri agricultural product as defined in section 348.400, RSMo] **an agricultural, horticultural, viticultural, vegetable, aquacultural, livestock, forestry, or poultry product either in its natural or processed state.**

2. The "Missouri Qualified Biodiesel Producer Incentive Fund" is hereby created and subject to appropriations shall be used to provide economic subsidies to Missouri qualified biodiesel producers pursuant to this section. The director of the department of agriculture shall administer the fund pursuant to this section.

3. A Missouri qualified biodiesel producer shall be eligible for a monthly grant from the fund provided that one hundred percent of the feedstock originates in the United States. However, the director may waive the feedstock requirements on a month-to-month basis if the facility provides verification that adequate feedstock is not available. A Missouri qualified biodiesel producer shall only be eligible for the grant for a total of sixty months unless such producers during the sixty months fail, due to a lack of appropriations, to receive the full amount from the fund for which the producers were eligible, in which case such producers shall continue to be eligible for up to twenty-four additional months or until they have received the maximum amount of funding for which such producers were eligible during the original sixty-month time period. The amount of the grant is determined by calculating the estimated gallons of qualified biodiesel produced during the preceding month from [Missouri agricultural products] **feedstock**, as certified by the department of agriculture, and applying such figure to the per-gallon incentive credit established in this subsection. Each Missouri qualified biodiesel producer shall be eligible for a total grant in any fiscal year equal to thirty cents per gallon for the first fifteen million gallons of qualified biodiesel produced from [Missouri agricultural products] **feedstock** in the fiscal year plus ten cents per gallon for the next fifteen million gallons of qualified biodiesel produced from [Missouri agricultural products] **feedstock** in the fiscal year. All such qualified biodiesel produced by a Missouri qualified biodiesel producer in excess of thirty million gallons shall not be applied to the computation of a grant pursuant to this

subsection. The department of agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval of the application described in subsection 4 of this section.

4. In order for a Missouri qualified biodiesel producer to obtain a grant from the fund, an application for such funds shall be received no later than fifteen days following the last day of the month for which the grant is sought. The application shall include:

- (1) The location of the Missouri qualified biodiesel producer;
- (2) The average number of citizens of Missouri employed by the Missouri qualified biodiesel producer in the preceding month, if applicable;
- (3) The number of bushel equivalents of Missouri [agricultural commodities] **feedstock and out-of-state feedstock** used by the Missouri qualified biodiesel producer in the production of biodiesel in the preceding month;
- (4) The number of gallons of qualified biodiesel the producer manufactures during the month for which the grant is applied;
- (5) A copy of the qualified biodiesel producer license required pursuant to subsection 5 of this section, name and address of surety company, and amount of bond to be posted pursuant to subsection 5 of this section; and
- (6) Any other information deemed necessary by the department of agriculture to adequately ensure that such grants shall be made only to Missouri qualified biodiesel producers.

5. The director of the department of agriculture, in consultation with the department of revenue, shall promulgate rules and regulations necessary for the administration of the provisions of this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

7. This section shall expire on December 31, 2009. However, Missouri qualified biodiesel producers receiving any grants awarded prior to December 31, 2009, shall continue to be eligible for the remainder of the original sixty-month time period under the same terms and conditions of this section unless such producer during such sixty months failed, due to a lack of appropriations, to receive the full amount from the fund for which he or she was eligible. In such case, such producers shall continue to be eligible for up to twenty-four additional months or until they have received the maximum amount of funding for which they were eligible during the original sixty-month time period."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fisher, **House Amendment No. 3** was adopted.

Representative Viebrock offered **House Amendment No. 4**.

Representative Darrough raised a point of order that **House Amendment No. 4** is not germane and goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Viebrock offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 41, Section 414.420, Line 36, by inserting after all of said line the following:

"Section 1. 1. No agency, authority, board, commission, department, or officer of the state shall promulgate or issue any regulation, rule, policy, guideline, or proclamation describing the relationship between persons and domestic animals as other than persons may or can own domestic animals.

2. No political subdivision of the state nor any local government, city or county, or any agency, authority, board, commission, department, or officer thereof shall enact any ordinance or promulgate or issue any regulation, rule, policy, guideline, or proclamation describing the relationship between persons and domestic animals as other than persons may or can own domestic animals.

3. For purposes of this section, "domestic animal" means, other than human, a nonwild animal or mammal that lives under the husbandry of humans or is accustomed to living in a domestic environment managed by humans, including amphibians, birds, fish, and reptiles.

4. Nothing in this section shall be construed to diminish the protections afforded to domestic animals in any animal cruelty or animal welfare statutes or regulations of the state of Missouri."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Talboy offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 1, Line 2, by deleting "348.505" and inserting in lieu thereof "**414.420**"; and

Further amend said amendment, Page 1, Line 3, by inserting after all of said line the following:

' "578.009. 1. A person is guilty of animal neglect when [he] **such person** has custody or ownership or both of an animal and **negligently** fails to provide adequate care or adequate control, which results in **injury to any person, another animal, or results in** substantial harm to the animal.

2. A person is guilty of abandonment when [he] **such person** has knowingly abandoned an animal in any place without making provisions for its adequate care.

3. Animal neglect and abandonment is a class C misdemeanor [upon first conviction and for each offense, punishable by imprisonment or a fine not to exceed five hundred dollars, or both] **for a first offense**, and a class B misdemeanor [punishable by imprisonment or a fine not to exceed one thousand dollars, or both upon the] **for a second and all subsequent [convictions] offenses**. All fines and penalties for a first conviction of animal neglect or abandonment may be waived by the court provided that the person found guilty of animal neglect or abandonment shows that adequate, permanent remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care and maintenance of neglected or abandoned animals may not be waived. This section shall not apply to the provisions of section 578.007.

4. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect or abandonment to pay all reasonable costs and expenses necessary for:

- (1) The care and maintenance of neglected or abandoned animals within the person's custody or ownership;
- (2) The disposal of any dead or diseased animals within the person's custody or ownership;
- (3) The reduction of resulting organic debris affecting the immediate area of the neglect or abandonment; and
- (4) The avoidance or minimization of any public health risks created by the neglect or abandonment of the animals." "; and

Further amend said amendment, Page 1, Line 4, by deleting the opening quotation mark before the word "**Section**".

Representative Talboy moved that **House Substitute Amendment No. 1 for House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Viebrock moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Schlottach offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 135.633, Page 4, Line 83, by inserting after all of said line the following:

- "135.660. 1. This section shall be known and may be cited as the "Qualified Beef Tax Credit Act".**
- 2. As used in this section, the following terms mean:**
- (1) "Agricultural property", any real and personal property, including but not limited to buildings, structures, improvements, equipment, and livestock, that is used in or is to be used in this state by residents of this state for:
- (a) The operation of a farm or ranch; and
 - (b) Grazing, feeding, or the care of livestock;
- (2) "Authority", the agricultural and small business development authority established in chapter 348, RSMo;
- (3) "Qualifying beef animal", any beef animal that is certified by the authority, that was born in this state after August 28, 2007, that was raised and backgrounded or finished in this state by the taxpayer, and that weighs more than four hundred fifty pounds, excluding any beef animal more than thirty months of age;
- (4) "Qualifying sale", the first time a qualifying beef animal is sold in this state after the qualifying beef animal's weight reaches four hundred fifty pounds, and a subsequent sale if the weight of the qualifying beef animal at the time of the subsequent sale is greater than the weight of the qualifying beef animal at the time of the first qualifying sale of such beef animal;
- (5) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or otherwise due under chapter 147, RSMo;
- (6) "Taxpayer", any individual or entity who:
- (a) Is subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, or the tax imposed in chapter 147, RSMo;
 - (b) In the case of an individual, is a resident of this state; and
 - (c) Owns or rents agricultural property.
- 3. For all taxable years beginning on or after January 1, 2009, but ending on or before December 31, 2016, a taxpayer shall be allowed a tax credit for each qualifying sale of a qualifying beef animal. The tax credit amount shall be based on the qualifying beef animal's weight at the time of the first qualifying sale, and shall be equal to ten cents per pound above four hundred fifty pounds and for a subsequent qualifying sale, ten cents per pound above the weight of the qualifying beef animal at the time of the first qualifying sale of such beef animal or four hundred fifty pounds, whichever weight is greater.**
- 4. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed. No tax credit claimed under this section shall be refundable. The tax credit shall be claimed in the taxable year in which the qualifying sale of the qualifying beef occurred, but any amount of credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years and carried backward to any of the taxpayer's three previous taxable years. The amount of tax credits that may be issued to all eligible applicants claiming tax credits authorized in this section in a fiscal year shall not exceed ten million dollars, and the cumulative amount of tax credits that may be issued to all eligible applicants claiming all tax credits authorized in this section shall not exceed thirty million dollars.**
- 5. To claim the tax credit allowed under this section, the taxpayer shall submit to the authority an application for the tax credit on a form provided by the authority. The application shall be filed with the authority at the end of each calendar year in which a qualified sale was made and for which a tax credit is claimed under this section. The application shall include any documentation and information required by the authority. All required information obtained by the authority shall be confidential and not disclosed except by court order or as otherwise provided by law. If the taxpayer and the qualified sale meets all criteria required by this section and is approved by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax**

credit certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax credit as the original taxpayer. Whenever a tax credit certificate is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit certificate or the value of the tax credit.

6. Any information provided under this section shall be confidential information, to be shared with no one except state and federal animal health officials, and shall not be subject to subpoena or other compulsory production.

7. The department of agriculture and the authority may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. This section shall not be subject to the Missouri sunset act, sections 23.250 to 23.298, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schlottach, **House Amendment No. 6** was adopted.

Representative Dethrow offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 265.525, Page 27, Line 110, by inserting immediately after said line the following:

"267.165. 1. The department of agriculture shall not participate in any national animal identification system (NAIS) administered program by the United States Department of Agriculture without specific authorization from the general assembly.

2. Notwithstanding the provisions of subsection 1 of this section, nothing in this section shall be construed as prohibiting the department of agriculture from participating in any Missouri voluntary or private animal identification program that verifies the health of Missouri livestock required for interstate export, marketing, and livestock movement.

3. Any Missouri voluntary animal identification program administered by the department of agriculture shall be subject to the following conditions:

- (1) The department shall provide participants all relevant program information;
- (2) Program participants shall be permitted to withdraw from the program at any time;
- (3) The department of agriculture shall not require participation in a Missouri specific source verification program for cattle or for any other species of livestock; and

4. Failure to participate in an animal identification program or the providing of services to persons who are not participants in an animal identification program shall not be deemed a crime, nor evidence of any negligence or gross negligence on the part of any livestock owner or provider of goods and services."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough raised a point of order that **House Amendment No. 7** is not germane and goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Schlottach offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 1, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"shall be construed as prohibiting the department of agriculture from issuing voluntary premise identification and participating in any Missouri"; and

Further amend said amendment and page, Line 15, by inserting immediately after said line the following:

"(4) No services, licenses, permits, certifications, special consideration, or incentives nor other essential services that may be offered by the state, shall be denied, revoked, or limited based solely on lack of participation in an animal identification program."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hobbs offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

House Substitute Amendment No. 1
for
House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 414.420, Page 41, Line 36, by inserting after all of said line the following:

"Section 1. The speaker of the house shall appoint a nine member interim committee to study the issue of animal identification and verification. The committee will determine whether Missouri should participate in the national animal identification program and whether the current Missouri department of agriculture requirements for animal identification are appropriate. Such committee shall report its findings and recommendations to the speaker of the house no later than December 1, 2008."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris (23) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 7** is not a true substitute amendment.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Hobbs moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 026

Bivins
Cunningham 145

Bruns
Emery

Cooper 155
Ervin

Cooper 158
Fares

Cox
Fisher

Flook	Hobbs	Lipke	May	Munzlinger
Nance	Pearce	Pratt	Quinn 7	Richard
Sander	Scharnhorst	Viebrock	Wood	Wright 159
Young				

NOES: 122

Aull	Avery	Baker 25	Baker 123	Bearden
Bland	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Faith	Fallert
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Loehner	Low 39	McClanahan	McGhee
Meiners	Moore	Muschany	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pollock	Portwood	Quinn 9	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

PRESENT: 001

Lowe 44

ABSENT WITH LEAVE: 014

Bowman	Curls	Dougherty	Funderburk	Hunter
Kratky	Kuessner	Marsh	Meadows	Page
Salva	Vogt	Wildberger	Wright-Jones	

On motion of Representative Schlottach, House Amendment No. 1 to House Amendment No. 7 was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Flook
Frame	Franz	George	Grill	Grisamore

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Guest	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meiners	Moore	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 005

Fisher	Hobbs	Munzlinger	Quinn 7	Young
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PRESENT: 000

ABSENT WITH LEAVE: 016

Bowman	Curls	Dougherty	Funderburk	Haywood
Hunter	Kratky	Kuessner	Lowe 44	Marsh
Meadows	Page	Salva	Vogt	Wildberger
Wright-Jones				

On motion of Representative Dethrow, **House Amendment No. 7, as amended**, was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meiners	Moore
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman

Ruzicka	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 010

Daus	Davis	Fares	Fisher	Hobbs
Munzlinger	Quinn 7	Sander	Whorton	Young

PRESENT: 000

ABSENT WITH LEAVE: 016

Bowman	Curls	Dougherty	Funderburk	Haywood
Hunter	Kratky	Kuessner	Lowe 44	Marsh
Meadows	Page	Salva	Vogt	Wildberger
Wright-Jones				

Representative Harris (23) offered **House Amendment No. 8**.

Representative Smith (150) raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Donnelly offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Page 41, Section 414.420, Line 36, by inserting after all of said line the following:

"Section 1. No grants received by the department of agriculture shall be used to pay legal settlements or judgments, and all legal settlements and judgments arising out of legal claims against the department of agriculture or its agents or employees shall be paid from the state legal expense fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith (150) raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Donnelly, **House Amendment No. 9** was adopted by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Cooper 120	Hoskins	Kelly	May
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PRESENT: 000

ABSENT WITH LEAVE: 018

Bowman	Chappelle-Nadal	Curls	Dougherty	Funderburk
Hunter	Kratky	Kuessner	Marsh	Meadows
Page	Richard	Robinson	Salva	Spreng
Vogt	Wildberger	Wright-Jones		

Representative Harris (110) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, Section 135.633, Pages 1 through 4, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris (110) moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 039

Baker 25	Bland	Burnett	Casey	Chappelle-Nadal
Corcoran	Darrough	Donnelly	Fallert	George
Harris 23	Harris 110	Hodges	Holsman	Hughes
Johnson	Lampe	LeVota	Liese	Low 39
McClanahan	Meiners	Nasheed	Norr	Oxford
Quinn 9	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Talboy	Todd
Walsh	Walton	Yaeger	Zweifel	

NOES: 105

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Frame	Franz	Grill
Grisamore	Guest	Haywood	Hobbs	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wright 159	Yates	Young	Zimmerman	Mr Speaker

PRESENT: 001

Wood

ABSENT WITH LEAVE: 018

Bowman	Curls	Dougherty	Funderburk	Hunter
Kratky	Kuessner	Lowe 44	Marsh	Meadows
Page	Robinson	Roorda	Salva	Spreng
Vogt	Wildberger	Wright-Jones		

Representative Norr offered **House Amendment No. 11**.

Representative Pratt raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Quinn (7), **HCS SCS SB 156, as amended**, was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hubbard	Hughes	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Hoskins

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 017

Bowman	Burnett	Curls	Dougherty	Funderburk
Hunter	Komo	Kratky	Marsh	Meadows
Page	Quinn 9	Roorda	Salva	Vogt
Wildberger	Wright-Jones			

On motion of Representative Quinn (7), **HCS SCS SB 156, as amended**, was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Hoskins

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Bowman	Curls	Dougherty	Ervin	Funderburk
Holsman	Hunter	Kratky	Marsh	Meadows
Page	Salva	Talboy	Vogt	Wildberger
Wright-Jones				

Representative Cooper (120) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hubbard	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 012

Baker 25	Burnett	Daus	George	Haywood
Hoskins	Hughes	LeVota	Norr	Roorda
Spreng	Talboy			

PRESENT: 000

ABSENT WITH LEAVE: 014

Bowman	Curls	Dougherty	Funderburk	Hunter
Kratky	Marsh	Meadows	Nasheed	Page
Salva	Vogt	Wildberger	Wright-Jones	

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 52 - Fiscal Review (Fiscal Note)
HCS SS SB 112 - Fiscal Review (Fiscal Note)
HCS SS#2 SCS SB 161 - Fiscal Review (Fiscal Note)
HCS SB 419 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCS SCS SB 333**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **SS#2 SCS SB 204**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 968**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 488**, entitled:

An act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for the use of idle reduction technology.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 488, Page 2, Section 135.670, Line 20, by striking "fifty" and inserting in lieu thereof the following "**five**"; and

Further amend said bill, section and page, Line 29, by striking "fifteen million" and inserting in lieu thereof the following:

"two hundred fifty thousand"; and

Further amend said bill, section and page, Line 30, by striking "thirty million" and inserting in lieu thereof the following:

"five hundred thousand"; and

Further amend said bill, section and page, Line 31, by striking "fifteen million" and inserting in lieu thereof the following:

"two hundred fifty thousand".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 82, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 84, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 127** and has taken up and passed **HCS SB 127**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 225**, entitled:

An act to repeal section 21.750, RSMo, and to enact in lieu thereof two new sections relating to hunting heritage protection.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SB 406, as amended**: Senators Crowell, Rupp, Scott, Kennedy and Smith.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, May 8, 2007.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 2.
Executive session.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 3.
Review of Department of Agriculture performance measures.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, 8:30 a.m. Senate Lounge.
Public hearing to be held on: HCS SB 81

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, 12:00 p.m. Senate Lounge.
Public hearing to be held on: HCS SCS SB 64

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, 1:30 p.m. Bingham Gallery.
Public hearing to be held on: HCS SB 30

CONFERENCE COMMITTEE NOTICE

Tuesday, May 8, 2007, Pershing Gallery upon evening adjournment.
Public hearing to be held on: HCS SCS SB 308

CONFERENCE COMMITTEE NOTICE

Wednesday, May 9, 2007, 9:00 a.m. Senator Champion's office Room No. 221.
Public hearing to be held on: HCS SB 25

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, May 8, 2007, Hearing Room 3 upon afternoon adjournment.
Executive session may follow.
Public hearing to be held on: HB 1232

FISCAL REVIEW

Tuesday, May 8, 2007, Hearing Room 4 upon afternoon adjournment.
Any bills referred to the Fiscal Review Committee.

HEALTH CARE POLICY

Tuesday, May 8, 2007, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: SCS SB 530

JUDICIARY

Tuesday, May 8, 2007, 12:00 p.m. Hearing Room 1.
Executive session only.

RULES

Tuesday, May 8, 2007, 8:30 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HR 2495, HR 2548

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, May 8, 2007, 8:30 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HCS HB 1108, HCS SS SCS SB 5, HCS SS SCS SB 85,
HCS SCS SB 226, HCS SB 543, HCS SB 130, HCS SS SCS SB 429, SCS SB 482,
SB 671, HCS SB 323, SB 510, HCS SCS SB 313, HCS SCS SB 664, SB 605,
HCS SCS SBs 299 & SS SCS SB 616

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, May 8, 2007, Hearing Room 3 upon morning recess.
Executive session may follow.
Public hearing to be held on: SCS SB 391

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 6.
Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 5.
Executive session.

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, Hearing Room 4 upon morning recess.
Executive session. AMENDED

SPECIAL COMMITTEE ON HEALTHCARE FACILITIES

Tuesday, May 8, 2007, Hearing Room 6 upon afternoon adjournment.
Executive session. AMENDED

SPECIAL COMMITTEE ON VETERANS

Tuesday, May 8, 2007, 12:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HCR 5, SCS SB 75

TRANSPORTATION

Tuesday, May 8, 2007, 8:00 a.m. Hearing Room 1.
Tyler Duvall Assistant Secretary for Transportation Policy in the
Office of the Secretary of the U.S. Department of Transportation to testify.
Executive session may follow.
Public hearing to be held on: HB 1237

HOUSE CALENDAR

SEVENTIETH DAY, TUESDAY, MAY 8, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey

- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821, HA 1, pending - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HCS HB 425 - Pearce
- 59 HCS HB 429 - Jones (117)
- 60 HCS HB 716 - Davis
- 61 HCS HB 95 - Sater
- 62 HB 479 - Darrough
- 63 HB 733 - Page
- 64 HCS HB 769 - Bruns
- 65 HCS HB 802, HA 2 to HA 1, HA 1, pending - Page
- 66 HB 1155 - Wright-Jones
- 67 HCS HB 442 - Kingery
- 68 HB 727 - Portwood
- 69 HB 888 - Grisamore
- 70 HCS HB 923 - Kratky
- 71 HB 1251 - Komo
- 72 HCS HB 331 - Lipke
- 73 HCS#2 HB 735 - Cooper (158)
- 74 HCS HB 833 - Wasson
- 75 HB 1104 - Hughes
- 76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
- 77 HCS HB 886 - Schlottach
- 78 HCS HB 869 - Holsman
- 79 HB 1052 - Brown (50)

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80 HCS HB 1272 - El-Amin
81 HCS HB 1023 - Quinn (7)

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILLS FOR THIRD READING

1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
2 HB 758 - Brown (50)

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

SENATE BILL FOR SECOND READING

SS SCS SB 225

HOUSE CONCURRENT RESOLUTIONS

1 HCR 28, (2-27-07, Pages 438-439) - Walton
2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
3 HCR 33, (3-30-07, Pages 872-873) - Guest
4 HCR 43, (4-12-07, Pages 1081-1082) - Page
5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
7 HCR 38, (4-19-07, Page 1248) - Wright
8 HCR 44, (4-24-07, Page 1314) - Smith (14)
9 HCS HCR 45, (4-25-07, Page 1347) - Roorda

SENATE BILLS FOR THIRD READING

1 SCS SB 91 - St. Onge
2 SB 135 - Kingery
3 HCS SCS SB 232 - Cooper (158)
4 HCS SCS SB 384, as amended, HA 2, pending, E.C. - Daus
5 HCS SCS SB 520 - Hunter
6 SB 352 - Ruzicka
7 HCS SB 593 & SCS SB 594 - May
8 SB 648 - Kelly
9 HCS SB 666 - Grill
10 HCS SS SCS SB 320 - Quinn (7)
11 SCS SB 418 - Weter
12 SB 513 - Wasson
13 HCS SB 218 - Deeken
14 SB 433 - Pratt
15 HCS SS SCS SB 22, (Fiscal Review 5-02-07), E.C. - Schneider
(2 hours debate on Third Reading)

- 16 SCS SB 4, E.C. - Icet
- 17 HCS SCS SB 47 - Bruns
- 18 HCS SCS SB 54 - Emery
- 19 HCS SS SB 112, (Fiscal Review 5-07-07) - Faith
- 20 SB 271 - Pearce
- 21 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 22 HCS SCS SB 86, E.C. - Sutherland
- 23 HCS SB 315 - Munzlinger
- 24 HCS SCS SB 52, (Fiscal Review 5-07-07), E.C. - St. Onge
(150 minutes debate on Third Reading)
- 25 SB 162 - Deeken
- 26 SB 171 - Wasson
- 27 HCS SCS SB 197 - Yates
- 28 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 29 SS SB 417 - Parson
- 30 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 31 HCS SCS SB 497 - Wilson (119)
- 32 SCS SB 525 - Wasson
- 33 SCS SB 526 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HCS HB 16 - Icet
- 2 SCS HCS HB 18 - Icet
- 3 SCS HCS HB 17 - Icet
- 4 HB 488, SA 1 - Wasson

BILLS CARRYING REQUEST MESSAGES

- 1 CCS SS SCS HCS HB 327, as amended
(House refuses to grant conference/request Senate take up and pass bill) - Richard
- 2 HCS SB 166, (request House recede/take up and pass bill) - Wood
- 3 HCS SCS SB 82, as amended (request House recede/grant conference) - Tilley
- 4 HCS SB 84, as amended (request House recede/grant conference) - Franz

BILLS IN CONFERENCE

- 1 HCS SB 30, as amended - Stevenson
- 2 HCS SCS SB 308, as amended - Wasson
- 3 SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 4 SCS HB 1 - Icet
- 5 SCS HCS HB 2 - Icet
- 6 SCS HCS HB 3 - Icet
- 7 SCS HCS HB 4 - Icet
- 8 SCS HCS HB 5 - Icet
- 9 SCS HCS HB 6 - Icet
- 10 SCS HCS HB 7 - Icet
- 11 SCS HCS HB 8 - Icet
- 12 SCS HCS HB 9 - Icet
- 13 SCS HCS HB 10 - Icet
- 14 SCS HCS HB 11, as amended - Icet
- 15 SCS HCS HB 12 - Icet
- 16 SCS HCS HB 13 - Icet
- 17 HCS SCS SB 64, as amended - Wallace

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- 18 HCS SB 81, as amended - Schlottach
- 19 HCS SCS SB 198 - Pollock
- 20 HCS SB 25, as amended - Franz
- 21 HB 574, SA 1, SA 3, E.C. - St. Onge
- 22 SS HB 665, as amended (conferees to exceed differences) - Ervin
- 23 HCS#2 SB 406, as amended - Wallace

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTIETH DAY, TUESDAY, MAY 8, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend Frank Bussmann, Associate Pastor, St. Peter Catholic Church, Jefferson City.

Gracious and Holy God, help us to remember that Your love for us, as individuals and in relation with one another, is unconditional, passionate and absolutely reliable. Give us the strength and courage to show forth that love in the way we treat our brothers and sisters.

Awaken in us the gift of ultimate truth about human life, along with the duty of serving humanity. Grant us the diligence to seek You, eyes to behold You and a heart to meditate on You. And let us give You the benefit of believing that Your hand is leading us, accepting the anxiety of feeling ourselves in suspense and not yet complete.

We make these prayers through the power of the Spirit of Jesus Christ our Savior. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Shafer Wood, Lucas Clenney, Austin Hillis, Quan Elliott, Jordan Potts, Taylor Clayton, Conner Blinzler, Madison Blinzler, Alan Lehane, Gabe Brazel, Megan Schwartz, Brad Gaines, Tori Gaines, Gloria Niewald, Rachel Robin, Philip Robin, David Wood and John Ellebrecht.

The Journal of the sixty-ninth day was approved as corrected.

SECOND READING OF SENATE BILL

SS SCS SB 225 was read the second time.

SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SCS SB 288, SB 152 & SCS SB 115** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

THIRD READING OF SENATE BILLS

HCS SCS SB 54, relating to environmental regulations, was taken up by Representative Bivins.

Representative Bivins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 54, Page 1, Section A, Line 3, by inserting after all of said line the following:

"256.700. 1. Any operator desiring to engage in surface mining who applies for a permit under section 444.772, RSMo, shall in addition to all other fees authorized under such section, annually submit a geologic resources fee. Such fee shall be deposited in the geologic resources fund established and expended under section 256.705. For any operator of a gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, there shall be no fee under this section.

2. The director of the department of natural resources may require a geologic resources fee for each permit not to exceed one hundred dollars. The director may also require a geologic resources fee for each site listed on a permit not to exceed one hundred dollars for each site. The director may also require a geologic resources fee for each acre permitted by the operator under section 444.772, RSMo, not to exceed ten dollars per acre. If such fee is assessed, the fee per acre on all acres bonded by a single operator that exceeds a total of three hundred acres shall be reduced by fifty percent. In no case shall the geologic resources fee portion for any permit issued under section 444.772, RSMo, be more than three thousand five hundred dollars.

3. Beginning August 28, 2007, the geologic resources fee shall be set at a permit fee of fifty dollars, a site fee of fifty dollars, and an acre fee of six dollars. Fees may be raised as allowed in this subsection by a regulation change promulgated by the director of the department of natural resources. Prior to such a regulation change, the director shall consult the industrial minerals advisory council created under section 256.710 in order to determine the need for such an increase in fees.

4. Fees imposed under this section shall become effective August 28, 2007, and shall expire on December 31, 2020. No other provisions of sections 256.700 to 256.710 shall expire.

5. The department of natural resources may promulgate rules to implement the provisions of sections 256.700 to 256.710. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

256.705. 1. All sums received through the payment of fees under section 256.700 shall be placed in the state treasury and credited to the "Geologic Resources Fund" which is hereby created.

2. After appropriation by the general assembly, the money in such fund shall be expended to collect, process, manage, and distribute geologic and hydrologic resource information pertaining to mineral resource potential in order to assist the mineral industry and for no other purpose. Such funds shall be utilized by the division of geology and land survey within the department of natural resources.

3. Any portion of the fund not immediately needed for the purposes authorized shall be invested by the state treasurer as provided by the constitution and laws of this state. All income from such investments shall, unless otherwise prohibited by the constitution of this state, be deposited in the geologic resources fund. The provisions of section 33.080, RSMo, relating to the transfer of unexpended balances in various funds to the general revenue fund at the end of each biennium shall not apply to funds in the geologic resources fund.

4. General revenue of the state or other state funds may be appropriated or expended for the administration of sections 256.700 to 256.710. The state geologist may enter into a memorandum of understanding or other agreement that allows for state or federal funds to supplement the geologic resources fund.

256.710. 1. There is hereby created an advisory council to the state geologist known as the "Industrial Minerals Advisory Council". The council shall be composed of nine members as follows:

- (1) The director of the department of transportation or his or her designee;**
- (2) Eight representatives of the following industries appointed by the director of the department of natural resources:**

- (a) Three representing the limestone quarry operators;
- (b) One representing the clay mining industry;
- (c) One representing the sandstone mining industry;
- (d) One representing the sand and gravel mining industry;
- (e) One representing the barite mining industry; and
- (f) One representing the granite mining industry.

The director of the department of natural resources or his or her designee shall act as chairperson of the council and convene the council as needed.

2. The advisory council shall:

- (1) Meet at least once each year;
- (2) Annually review with the state geologist the income received and expenditures made under sections 256.700 and 256.705;
- (3) Consider all information and advise the director of the department of natural resources in determining the method and amount of fees to be assessed;
- (4) In performing its duties under this subsection, represent the best interests of the Missouri mining industry;
- (5) Serve in an advisory capacity in all matters pertaining to the administration of this section and section 256.700;
- (6) Serve in an advisory capacity in all other matters brought before the council by the director of the department of natural resources.

3. All members of the advisory council, with the exception of the director of the department of transportation or his or her designee who shall serve indefinitely, shall serve for terms of three years and until their successors are duly appointed and qualified; except that, of the members first appointed:

- (1) One member who represents the limestone quarry operators, the representative of the clay mining industry, and the representative of the sandstone mining industry shall serve terms of three years;
- (2) One member who represents the limestone quarry operators, the representative of the sand and gravel mining industry, and the representative of the barite mining industry shall serve terms of two years; and
- (3) One member who represents the limestone quarry operators, and the representative of the granite mining industry shall serve a term of one year.

4. All members shall be residents of this state. Any member may be reappointed.

5. All members shall be reimbursed for reasonable expenses incurred in the performance of their official duties in accordance with the reimbursement policy set by the director. All reimbursements paid under this section shall be paid from fees collected under section 256.700.

6. Every vacancy on the advisory council shall be filled by the director of the department of natural resources. The person selected to fill any such vacancy shall possess the same qualifications required by this section as the member he or she replaces and shall serve until the end of the unexpired term of his or her predecessor."; and

Further amend said bill, Page 2, Section 260.200, Line 28, by inserting after all of said line the following:

"9. "Construction and demolition waste", waste materials from the construction and demolition of residential, industrial, or commercial structures, but shall not include materials defined as clean fill under this section."; and

Further amend said section, Page 4, Line 89, by inserting after all of said line the following:

"(28) "Plasma arc technology", a process that converts electrical energy into thermal energy. This electric arc is created when an ionized gas transfers electric power between two or more electrodes."; and

Further amend said section, Page 5, Line 151, by inserting after all of said line the following:

"(d) A plasma arc technology facility."; and

Further amend said section, Pages 1 through 6, by changing all numerical references as necessary; and

Further amend said bill, Page 6, Section 260.200, Line 173, by inserting after all of said line the following:

"260.211. 1. A person commits the offense of criminal disposition of demolition waste [in the first degree] if he purposely or knowingly disposes of or causes the disposal of more than two thousand pounds or four hundred cubic feet of such waste [in violation of section 260.210] **on property in this state other than in a solid waste processing facility or solid waste disposal area having a permit as required by section 260.205; provided that, this subsection shall not prohibit the use or require a solid waste permit for the use of solid wastes in normal farming operations or in the processing or manufacturing of other products in a manner that will not create a public nuisance or adversely affect public health and shall not prohibit the disposal of or require a solid waste permit for the disposal by an individual of solid wastes resulting from his or her own residential activities on property owned or lawfully occupied by him or her when such wastes do not thereby create a public nuisance or adversely affect the public health.** Demolition waste shall not include clean fill or vegetation. Criminal disposition of demolition waste [in the first degree] is a class [A misdemeanor] **D felony**. In addition to other penalties prescribed by law, a person convicted of criminal disposition of demolition waste [in the first degree] is subject to a fine not to exceed twenty thousand dollars, except as provided below. The magnitude of the fine shall reflect the seriousness or potential seriousness of the threat to human health and the environment posed by the violation, but shall not exceed twenty thousand dollars, except that if a court of competent jurisdiction determines that the person responsible for illegal disposal of demolition waste under this subsection did so for remuneration as a part of an ongoing commercial activity, the court shall set a fine which reflects the seriousness or potential threat to human health and the environment which at least equals the economic gain obtained by the person, and such fine may exceed the maximum established herein.

2. Any person who purposely or knowingly disposes of or causes the disposal of more than two thousand pounds or four hundred cubic feet of his or her personal construction or demolition waste on his or her own property shall be guilty of a class C misdemeanor. If such person receives any amount of money, goods, or services in connection with permitting any other person to dispose of construction or demolition waste on his or her property, such person shall be guilty of a class D felony.

3. The court shall order any person convicted of illegally disposing of demolition waste upon his own property for remuneration to clean up such waste and, if he fails to clean up the waste or if he is unable to clean up the waste, the court may notify the county recorder of the county containing the illegal disposal site. The notice shall be designed to be recorded on the record.

[3. Any person who pleads guilty or is convicted of criminal disposition of demolition waste in the first degree a second or subsequent time shall be guilty of a class D felony, and subject to the penalties provided in subsection 1 of this section in addition to those penalties prescribed by law.

4. A person commits the offense of criminal disposition of demolition waste in the second degree if he purposely or knowingly disposes of or causes the disposal of less than the amount of demolition waste specified in subsection 1 of this section in violation of section 260.210. Criminal disposition of demolition waste in the second degree is a class C misdemeanor.

5. In addition to other penalties prescribed by law, a person convicted of criminal disposition of demolition waste in the second degree is subject to a fine, and the magnitude of the fine shall reflect the seriousness or potential seriousness of the threat to human health and the environment posed by the violation, but shall not exceed two thousand dollars.

6. Any person who pleads guilty or is convicted of criminal disposition of demolition waste in the second degree a second or subsequent time shall be guilty of a class D felony, and subject to the penalties provided in subsection 5 of this section in addition to those penalties prescribed by law.

7.] 4. The court may order restitution by requiring any person convicted under this section to clean up any demolition waste he illegally dumped and the court may require any such person to perform additional community service by cleaning up and properly disposing of demolition waste illegally dumped by other persons.

[8.] 5. The prosecutor of any county or circuit attorney of any city not within a county may, by information or indictment, institute a prosecution for any violation of the provisions of this section.

6. Any person shall be guilty of conspiracy as defined in section 564.016, RSMo, if he or she knows or should have known that his or her agent or employee has committed the acts described in sections 260.210 to 260.212 while engaged in the course of employment.

260.212. 1. A person commits the offense of criminal disposition of solid waste [in the first degree] if he purposely or knowingly disposes of or causes the disposal of more than five hundred pounds or one hundred cubic feet of commercial or residential solid waste [on any property in this state other than a sanitary landfill in violation of section 260.210] **on property in this state other than a solid waste processing facility or solid waste disposal area having a permit as required by section 260.205; provided that, this subsection shall not prohibit the use or require a solid waste permit for the use of solid wastes in normal farming operations or in the processing or manufacturing of other products in a manner that will not create a public nuisance or adversely affect public health and shall not prohibit the disposal of or require a solid waste permit for the disposal by an individual of solid wastes resulting from his or her own residential activities on property owned or lawfully occupied by him or her when such wastes do not thereby create a public nuisance or adversely affect the public health.** Criminal disposition of solid waste [in the first degree] is a class [A misdemeanor] **D felony**. In addition to other penalties prescribed by law, a person convicted of criminal disposition of solid waste [in the first degree] is subject to a fine, and the magnitude of the fine shall reflect the seriousness or potential seriousness of the threat to human health and the environment posed by the violation, but shall not exceed twenty thousand dollars, except that if a court of competent jurisdiction determines that the person responsible for illegal disposal of solid waste under this subsection did so for remuneration as a part of an ongoing commercial activity, the court shall set a fine which reflects the seriousness or potential threat to human health and the environment which at least equals the economic gain obtained by the person, and such fine may exceed the maximum established herein.

2. The court shall order any person convicted of illegally disposing of solid waste upon his own property for remuneration to clean up such waste and, if he fails to clean up the waste or if he is unable to clean up the waste, the court may notify the county recorder of the county containing the illegal disposal site. The notice shall be designed to be recorded on the record.

3. [Any person who pleads guilty or is convicted of criminal disposition of solid waste in the first degree a second or subsequent time shall be guilty of a class D felony. If a court of competent jurisdiction determines that the person responsible for illegal disposal of solid waste under this subsection did so for remuneration as a part of an ongoing commercial activity, the court shall set a fine which reflects the seriousness or potential threat to human health and the environment which equals at least three times the economic gain obtained by the person, and such fine may exceed the maximum established in this section.

4. A person commits the offense of criminal disposition of solid waste in the second degree if he purposely or knowingly disposes of or causes the disposal of less than the amount of commercial or residential solid waste specified in subsection 1 of this section on any property in this state other than a permitted sanitary landfill in violation of section 260.210. Criminal disposition of solid waste in the second degree is a class C misdemeanor.

5. In addition to other penalties prescribed by law, a person convicted of criminal disposition of solid waste in the second degree is subject to a fine, and the magnitude of the fine shall reflect the seriousness or potential seriousness of the threat to human health and the environment posed by the violation, but shall not exceed two thousand dollars.

6. Any person who pleads guilty or is convicted of criminal disposition of solid waste in the second degree a second or subsequent time shall be guilty of a class D felony. If a court of competent jurisdiction determines that the person responsible for illegal disposal of solid waste under this subsection did so for remuneration as a part of an ongoing commercial activity, the court shall set a fine which reflects the seriousness or potential threat to human health and the environment which equals at least three times the economic gain obtained by the person, and such fine may exceed the maximum established in this subsection.

7.] The court may order restitution by requiring any person convicted under this section to clean up any commercial or residential solid waste he illegally dumped and the court may require any such person to perform additional community service by cleaning up commercial or residential solid waste illegally dumped by other persons.

[8.] 4. The prosecutor of any county or circuit attorney of any city not within a county may, by information or indictment, institute a prosecution for any violation of the provisions of this section.

[9.] 5. Any person shall be guilty of conspiracy as defined in section 564.016, RSMo, if he knows or should have known that his agent or employee has committed the acts described in sections 260.210 to 260.212 while engaged in the course of employment.

260.240. 1. In the event the director determines that any provision of sections 260.200 to 260.245 **and 260.330** or any standard, rule, regulation, final order or approved plan promulgated pursuant thereto is being, was, or is in imminent danger of being violated, the director may, in addition to those remedies provided in section 260.230, cause

to have instituted a civil action in any court of competent jurisdiction for injunctive relief to prevent any such violation or further violation or in the case of violations concerning a solid waste disposal area or a solid waste processing facility, for the assessment of a penalty not to exceed one thousand dollars per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper **or in the case of violations concerning a solid waste disposal area and in the case of a violation of section 260.330 by a solid waste processing facility, for the assessment of a penalty not to exceed five thousand dollars per day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper.** A civil monetary penalty under this section shall not be assessed for a violation where an administrative penalty was assessed under section 260.249. The director may request either the attorney general or a prosecuting attorney to bring any action authorized in this section in the name of the people of the state of Missouri. Suit can be brought in any county where the defendant's principal place of business is located or where the violation occurred. Any offer of settlement to resolve a civil penalty under this section shall be in writing, shall state that an action for imposition of a civil penalty may be initiated by the attorney general or a prosecuting attorney representing the department under authority of this section, and shall identify any dollar amount as an offer of settlement which shall be negotiated in good faith through conference, conciliation and persuasion.

2. Any rule, regulation, standard or order of a county commission, adopted pursuant to the provisions of sections 260.200 to 260.245, may be enforced in a civil action for mandatory or prohibitory injunctive relief or for the assessment of a penalty not to exceed [one] **five** hundred dollars per day for each day, or part thereof, that a violation of such rule, regulation, standard or order of a county commission occurred and continues to occur, or both, as the commission deems proper. The county commission may request the prosecuting attorney or other attorney to bring any action authorized in this section in the name of the people of the state of Missouri.

3. The liabilities imposed by this section shall not be imposed due to any violation caused by an act of God, war, strike, riot or other catastrophe.

260.247. 1. Any city **or political subdivision** which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, **for commercial or residential services**, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city **or political subdivision** shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city **or political subdivision** intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city **or political subdivision** contracts with the private entity or entities to continue such services for that period. **If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.**

3. If the services to be provided under a contract with the city **or political subdivision** pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city **or political subdivision** has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request, all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. The provisions of this section shall apply to private entities that service fifty or more residential accounts or [fifteen or more] **any** commercial accounts in the area in question.

260.249. 1. In addition to any other remedy provided by law, upon a determination by the director that a provision of sections 260.200 to 260.281, or a standard, limitation, order, rule or regulation promulgated pursuant thereto, or a term or condition of any permit has been violated, the director may issue an order assessing an administrative penalty upon the violator under this section. An administrative penalty shall not be imposed until the director has sought to resolve the violations through conference, conciliation and persuasion and shall not be imposed for minor violations of sections 260.200 to 260.281 or minor violation of any standard, limitation, order, rule or regulation promulgated pursuant to sections 260.200 to 260.281 or minor violations of any term or condition of a permit issued pursuant to

sections 260.200 to 260.281 or any violations of sections 260.200 to 260.281 by any person resulting from mismanagement of solid waste generated and managed on the property of the place of residence of the person. If the violation is resolved through conference, conciliation and persuasion, no administrative penalty shall be assessed unless the violation has caused, or has the potential to cause, a risk to human health or to the environment, or has caused or has potential to cause pollution, or was knowingly committed, or is defined by the United States Environmental Protection Agency as other than minor. Any order assessing an administrative penalty shall state that an administrative penalty is being assessed under this section and that the person subject to the penalty may appeal as provided by section 260.235. Any such order that fails to state the statute under which the penalty is being sought, the manner of collection or rights of appeal shall result in the state's waiving any right to collection of the penalty.

2. The department shall promulgate rules and regulations for the assessment of administrative penalties. The amount of the administrative penalty assessed per day of violation for each violation under this section shall not exceed the amount of the civil penalty specified in section [260.230] **260.240**. Such rules shall reflect the criteria used for the administrative penalty matrix as provided for in the Resource Conservation and Recovery Act, 42 U.S.C. 6928(a), Section 3008(a), and the harm or potential harm which the violation causes, or may cause, the violator's previous compliance record, and any other factors which the department may reasonably deem relevant. An administrative penalty shall be paid within sixty days from the date of issuance of the order assessing the penalty. Any person subject to an administrative penalty may appeal as provided in section 260.235. Any appeal will stay the due date of such administrative penalty until the appeal is resolved. Any person who fails to pay an administrative penalty by the final due date shall be liable to the state for a surcharge of fifteen percent of the penalty plus ten percent per annum on any amounts owed. Any administrative penalty paid pursuant to this section shall be handled in accordance with section 7 of article IX of the state constitution. An action may be brought in the appropriate circuit court to collect any unpaid administrative penalty, and for attorney's fees and costs incurred directly in the collection thereof.

3. An administrative penalty shall not be increased in those instances where department action, or failure to act, has caused a continuation of the violation that was a basis for the penalty. Any administrative penalty must be assessed within two years following the department's initial discovery of such alleged violation, or from the date the department in the exercise of ordinary diligence should have discovered such alleged violation.

4. The state may elect to assess an administrative penalty, or, in lieu thereof, to request that the attorney general or prosecutor file an appropriate legal action seeking a civil penalty in the appropriate circuit court.

5. Any final order imposing an administrative penalty is subject to judicial review upon the filing of a petition pursuant to section 536.100, RSMo, by any person subject to the administrative penalty."; and

Further amend said bill, Section 260.250, by inserting after all of said section the following:

"260.330. 1. Except as otherwise provided in subsection 6 of this section, effective October 1, 1990, each operator of a solid waste sanitary landfill shall collect a charge equal to one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted and each operator of the solid waste demolition landfill shall collect a charge equal to one dollar per ton or its volumetric equivalent of solid waste accepted. Each operator shall submit the charge, less collection costs, to the department of natural resources for deposit in the "Solid Waste Management Fund" which is hereby created. On October 1, 1992, and thereafter, the charge imposed herein shall be adjusted annually by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency. No annual adjustment shall be made to the charge imposed under this subsection during October 1, 2005, to October 1, [2009] **2014**, except an adjustment amount consistent with the need to fund the operating costs of the department and taking into account any annual percentage increase in the total of the volumetric equivalent of solid waste accepted in the prior year at solid waste sanitary landfills and demolition landfills and solid waste to be transported out of this state for disposal that is accepted at transfer stations. No annual increase during October 1, 2005, to October 1, [2009] **2014**, shall exceed the percentage increase measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency and calculated on the percentage of revenues dedicated under subdivision (1) of subsection 2 of section 260.335. Any such annual adjustment shall only be made at the discretion of the director, subject to appropriations. Collection costs shall be established by the department and shall not exceed two percent of the amount collected pursuant to this section.

2. The department shall, by rule and regulation, provide for the method and manner of collection.

3. The charges established in this section shall be enumerated separately from the disposal fee charged by the landfill and may be passed through to persons who generated the solid waste. Moneys shall be transmitted to the department shall be no less than the amount collected less collection costs and in a form, manner and frequency as the department shall prescribe. The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the account shall not lapse to general revenue at the end of each biennium. Failure to collect the charge does not relieve the operator from responsibility for transmitting an amount equal to the charge to the department.

4. The department may examine or audit financial records and landfill activity records and measure landfill usage to verify the collection and transmittal of the charges established in this section. The department may promulgate by rule and regulation procedures to ensure and to verify that the charges imposed herein are properly collected and transmitted to the department.

5. Effective October 1, 1990, any person who operates a transfer station in Missouri shall transmit a fee to the department for deposit in the solid waste management fund which is equal to one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted. Such fee shall be applicable to all solid waste to be transported out of the state for disposal. On October 1, 1992, and thereafter, the charge imposed herein shall be adjusted annually by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency. No annual adjustment shall be made to the charge imposed under this subsection during October 1, 2005, to October 1, [2009] **2014**, except an adjustment amount consistent with the need to fund the operating costs of the department and taking into account any annual percentage increase in the total of the volumetric equivalent of solid waste accepted in the prior year at solid waste sanitary landfills and demolition landfills and solid waste to be transported out of this state for disposal that is accepted at transfer stations. No annual increase during October 1, 2005, to October 1, [2009] **2014**, shall exceed the percentage increase measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency and calculated on the percentage of revenues dedicated under subdivision (1) of subsection 2 of section 260.335. Any such annual adjustment shall only be made at the discretion of the director, subject to appropriations. The department shall prescribe rules and regulations governing the transmittal of fees and verification of waste volumes transported out of state from transfer stations. Collection costs shall also be established by the department and shall not exceed two percent of the amount collected pursuant to this subsection. A transfer station with the sole function of separating materials for recycling or resource recovery activities shall not be subject to the fee imposed in this subsection.

6. Each political subdivision which owns an operational solid waste disposal area may designate, pursuant to this section, up to two free disposal days during each calendar year. On any such free disposal day, the political subdivision shall allow residents of the political subdivision to dispose of any solid waste which may be lawfully disposed of at such solid waste disposal area free of any charge, and such waste shall not be subject to any state fee pursuant to this section. Notice of any free disposal day shall be posted at the solid waste disposal area site and in at least one newspaper of general circulation in the political subdivision no later than fourteen days prior to the free disposal day.

260.335. 1. Each fiscal year eight hundred thousand dollars from the solid waste management fund shall be made available, upon appropriation, to the department and the environmental improvement and energy resources authority to fund activities that promote the development and maintenance of markets for recovered materials. Each fiscal year up to two hundred thousand dollars from the solid waste management fund be used by the department upon appropriation for grants to solid waste management districts for district grants and district operations. Only those solid waste management districts that are allocated fewer funds under subsection 2 of this section than if revenues had been allocated based on the criteria in effect in this section on August 27, 2004, are eligible for these grants. An eligible district shall receive a proportionate share of these grants based on that district's share of the total reduction in funds for eligible districts calculated by comparing the amount of funds allocated under subsection 2 of this section with the amount of funds that would have been allocated using the criteria in effect in this section on August 27, 2004. The department and the authority shall establish a joint interagency agreement with the department of economic development to identify state priorities for market development and to develop the criteria to be used to judge proposed projects. Additional moneys may be appropriated in subsequent fiscal years if requested. The authority shall establish a procedure to measure the effectiveness of the grant program under this subsection and shall provide a report to the governor and general assembly by January fifteenth of each year regarding the effectiveness of the program.

2. All remaining revenues deposited into the fund each fiscal year after moneys have been made available under subsection 1 of this section shall be allocated as follows:

(1) Thirty-nine percent of the revenues shall be dedicated, upon appropriation, to the elimination of illegal solid waste disposal, to identify and prosecute persons disposing of solid waste illegally, to conduct solid waste permitting activities, to administer grants and perform other duties imposed in sections 260.200 to 260.345 and section 260.432. In addition to the thirty-nine percent of the revenues, the department may receive any annual increase in the charge during October 1, 2005, to October 1, [2009] **2014**, under section 260.330 and such increases shall be used solely to fund the operating costs of the department;

(2) Sixty-one percent of the revenues, except any annual increases in the charge under section 260.330 during October 1, 2005, to October 1, [2009] **2014**, which shall be used solely to fund the operating costs of the department, shall be allocated through grants, upon appropriation, to participating cities, counties, and districts. Revenues to be allocated under this subdivision shall be divided as follows: forty percent shall be allocated based on the population of each district in the latest decennial census, and sixty percent shall be allocated based on the amount of revenue generated within each district. For the purposes of this subdivision, revenue generated within each district shall be determined from the previous year's data. No more than fifty percent of the revenue allocable under this subdivision may be allocated to the districts upon approval of the department for implementation of a solid waste management plan and district operations, and at least fifty percent of the revenue allocable to the districts under this subdivision shall be allocated to the cities and counties of the district or to persons or entities providing solid waste management, waste reduction, recycling and related services in these cities and counties. Each district shall receive a minimum of seventy-five thousand dollars under this subdivision. After August 28, 2005, each district shall receive a minimum of ninety-five thousand dollars under this subdivision for district grants and district operations. Each district receiving moneys under this subdivision shall expend such moneys pursuant to a solid waste management plan required under section 260.325, and only in the case that the district is in compliance with planning requirements established by the department. Moneys shall be awarded based upon grant applications. Any moneys remaining in any fiscal year due to insufficient or inadequate applications may be reallocated pursuant to this subdivision;

(3) Except for the amount up to one-fourth of the department's previous fiscal year expense, any remaining unencumbered funds generated under subdivision (1) of this subsection in prior fiscal years shall be reallocated under this section;

(4) Funds may be made available under this subsection for the administration and grants of the used motor oil program described in section 260.253;

(5) The department and the environmental improvement and energy resources authority shall conduct sample audits of grants provided under this subsection.

3. The advisory board created in section 260.345 shall recommend criteria to be used to allocate grant moneys to districts, cities and counties. These criteria shall establish a priority for proposals which provide methods of solid waste reduction and recycling. The department shall promulgate criteria for evaluating grants by rule and regulation. Projects of cities and counties located within a district which are funded by grants under this section shall conform to the district solid waste management plan.

4. The funds awarded to the districts, counties and cities pursuant to this section shall be used for the purposes set forth in sections 260.300 to 260.345, and shall be used in addition to existing funds appropriated by counties and cities for solid waste management and shall not supplant county or city appropriated funds.

5. The department, in conjunction with the solid waste advisory board, shall review the performance of all grant recipients to ensure that grant moneys were appropriately and effectively expended to further the purposes of the grant, as expressed in the recipient's grant application. The grant application shall contain specific goals and implementation dates, and grant recipients shall be contractually obligated to fulfill same. The department may require the recipient to submit periodic reports and such other data as are necessary, both during the grant period and up to five years thereafter, to ensure compliance with this section. The department may audit the records of any recipient to ensure compliance with this section. Recipients of grants under sections 260.300 to 260.345 shall maintain such records as required by the department. If a grant recipient fails to maintain records or submit reports as required herein, refuses the department access to the records, or fails to meet the department's performance standards, the department may withhold subsequent grant payments, if any, and may compel the repayment of funds provided to the recipient pursuant to a grant.

6. The department shall provide for a security interest in any machinery or equipment purchased through grant moneys distributed pursuant to this section.

7. If the moneys are not transmitted to the department within the time frame established by the rule promulgated, interest shall be imposed on the moneys due the department at the rate of ten percent per annum from the prescribed due date until payment is actually made. These interest amounts shall be deposited to the credit of the solid waste management fund.

260.360. When used in sections 260.350 to 260.430 and in standards, rules and regulations adopted pursuant to sections 260.350 to 260.430, the following words and phrases mean:

(1) "Cleanup", all actions necessary to contain, collect, control, treat, disburse, remove or dispose of a hazardous waste;

(2) "Commission", the hazardous waste management commission of the state of Missouri created by sections 260.350 to 260.430;

(3) "Conference, conciliation and persuasion", a process of verbal or written communications consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department and the alleged violator. The process shall, at a minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;

(4) "Department", the Missouri department of natural resources;

(5) "Detonation", an explosion in which chemical transformation passes through the material faster than the speed of sound, which is 0.33 kilometers per second at sea level;

(6) "Director", the director of the Missouri department of natural resources;

(7) "Disposal", the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that such waste, or any constituent thereof, may enter the environment or be emitted into the air or be discharged into the waters, including groundwaters;

(8) "Final disposition", the location, time and method by which hazardous waste loses its identity or enters the environment, including, but not limited to, disposal, resource recovery and treatment;

(9) "Generation", the act or process of producing waste;

(10) "Generator", any person who produces waste;

(11) "Hazardous waste", any waste or combination of wastes, as determined by the commission by rules and regulations, which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness, or pose a present or potential threat to the health of humans or the environment;

(12) "Hazardous waste facility", any property that is intended or used for hazardous waste management including, but not limited to, storage, treatment and disposal sites;

(13) "Hazardous waste management", the systematic recognition and control of hazardous waste from generation to final disposition including, but not limited to, its identification, containerization, labeling, storage, collection, transfer or transportation, treatment, resource recovery or disposal;

(14) "Infectious waste", waste in quantities and characteristics as determined by the department by rule and regulation, including the following wastes known or suspected to be infectious: isolation wastes, cultures and stocks of etiologic agents, contaminated blood and blood products, other contaminated surgical wastes, wastes from autopsy, contaminated laboratory wastes, sharps, dialysis unit wastes, discarded biologicals and antineoplastic chemotherapeutic materials; provided, however, that infectious waste does not mean waste treated to department specifications;

(15) "Manifest", a department form accompanying hazardous waste from point of generation, through transport, to final disposition;

(16) "Minor violation", a violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency as other than minor;

(17) "Person", an individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision or any agency, board, department or bureau of the state or federal government or any other legal entity whatever which is recognized by law as the subject of rights and duties;

(18) **"Plasma arc technology", a process that converts electrical energy into thermal energy. The plasma arc is created when a voltage is established between two points;**

(19) "Resource recovery", the reclamation of energy or materials from waste, its reuse or its transformation into new products which are not wastes;

[(19)] (20) "Storage", the containment or holding of waste at a designated location in such manner or for such a period of time, as determined in regulations adopted hereunder, so as not to constitute disposal of such waste;

[(20)] (21) "Treatment", the processing of waste to remove or reduce its harmful properties or to contribute to more efficient or less costly management or to enhance its potential for resource recovery including, but not limited

to, existing or future procedures for biodegradation, concentration, reduction in volume, detoxification, fixation, incineration, **plasma arc technology**, or neutralization;

[(21)] (22) "Waste", any material for which no use or sale is intended and which will be discarded or any material which has been or is being discarded. "Waste" shall also include certain residual materials, to be specified by the rules and regulations, which may be sold for purposes of energy or materials reclamation, reuse or transformation into new products which are not wastes;

[(22)] (23) "Waste explosives", any waste which has the potential to detonate, or any bulk military propellant which cannot be safely disposed of through other modes of treatment.

260.470. 1. When the director places a site on the registry as provided in section 260.440, and after the resolution of any appeal under section 260.455, he shall file with the county recorder of deeds the period during which the site was used as a hazardous waste disposal area. When the director finds that a site on the registry has been properly closed under subdivision (5) of subsection 3 of section 260.445 with no evidence of potential adverse impact, he shall file this finding with the county recorder of deeds. The county recorder of deeds shall file this information so that any purchaser will be given notice that the site has been placed on, or removed from, the registry.

2. Any owner of a registry site may petition the department to remove the site from the registry provided that:

(1) Corrective actions have addressed the contamination at the site in accordance with a department-approved risk-based corrective action plan;

(2) The department has issued a letter indicating that no further actions are required to address current risk from contaminants for the site; and

(3) An environmental covenant for the property that meets the requirements of sections 260.1000 to 260.1039 has been filed with the county recorder of deeds.

3. The department shall approve such a request unless the department determines that removal from the registry would result in significant current or future risk of harm to human health, public welfare, or the environment. In making such a determination, the department shall provide a written justification that considers the amount, toxicity, and persistence of any contaminants left in place and the stability of current site conditions. Any denial under this subsection may be appealed to the commission in the manner provided in section 260.460.

260.800. As used in sections 260.800 to 260.815, the following terms shall mean:

(1) "Governing body", any city, municipality, county or combination thereof, or an authority or agency created by intergovernmental compact;

(2) "Solid waste", garbage, refuse and other discarded materials including, but not limited to, solid and semisolid waste materials resulting from industrial, commercial, agricultural, governmental and domestic activities, but does not include overburden, rock, tailings, matte, slag or other waste material resulting from mining, milling or smelting;

(3) "Waste to energy facility", any facility, **including plasma arc technology**, with the electric generating capacity of up to eighty megawatts which is fueled by solid waste.

260.1000. Sections 260.1000 to 260.1039 shall be cited as the "Missouri Environmental Covenants Act".

260.1003. As used in sections 260.1000 to 260.1039, the following terms shall mean:

(1) "Activity and use limitations", restrictions or obligations with respect to real property created under sections 260.1000 to 260.1039;

(2) "Department", the Missouri department of natural resources or any other state or federal department that determines or approves the environmental response project under which the environmental covenant is created;

(3) "Common interest community", a condominium, cooperative, or other real property with respect to which a person, by virtue of the person's ownership of a parcel of real property, is obligated to pay property taxes, insurance premiums, maintenance, or improvement of other real property described in a recorded covenant that creates the common interest community;

(4) "Environmental covenant", a servitude arising under an environmental response project that imposes activity and use limitations;

(5) "Environmental response project", a plan or work performed for environmental remediation of real property and conducted:

(a) Under a federal or state program governing environmental remediation of real property, including but not limited to the Missouri hazardous waste management law as specified in this chapter;

(b) Incident to closure of a solid or hazardous waste management unit, if the closure is conducted with approval of the department; or

(c) Under a state voluntary cleanup program authorized in the Missouri hazardous waste management law as specified in this chapter;

(6) "Holder", the grantee of an environmental covenant as specified in section 260.1006;

(7) "Person", an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, governmental subdivision, department, or instrumentality, or any other legal or commercial entity;

(8) "Record", information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(9) "State", a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

260.1006. 1. Any person, including a person that owns an interest in the real property, the department, or a municipality or other unit of local government, may be a holder. An environmental covenant may identify more than one holder. The interest of a holder is an interest in real property.

2. The rights of a department under sections 260.1000 to 260.1039 or under an environmental covenant, other than a right as a holder, is not an interest in real property.

3. A department is bound by any obligation it assumes in an environmental covenant, but a department does not assume obligations merely by signing an environmental covenant. Any other person that signs an environmental covenant is bound by the obligations the person assumes in the covenant, but signing the covenant does not change obligations, rights, or protections granted or imposed under law other than sections 260.1000 to 260.1039 except as provided in the covenant.

4. The following rules apply to interests in real property in existence at the time an environmental covenant is created or amended:

(1) An interest that has priority under other law is not affected by an environmental covenant unless the person that owns the interest subordinates that interest to the covenant;

(2) Sections 260.1000 to 260.1039 do not require a person that owns a prior interest to subordinate that interest to an environmental covenant or to agree to be bound by the covenant;

(3) A subordination agreement may be contained in an environmental covenant covering real property or in a separate record. If the environmental covenant covers commonly owned property in a common interest community, the record may be signed by any person authorized by the governing board of the owners association;

(4) An agreement by a person to subordinate a prior interest to an environmental covenant affects the priority of that person's interest but shall not by itself impose any affirmative obligation on the person with respect to the environmental covenant.

260.1009. 1. An environmental covenant shall:

(1) State that the instrument is an environmental covenant executed under sections 260.1000 to 260.1039;

(2) Contain a legally sufficient description of the real property subject to the covenant;

(3) Describe the activity and use limitations on the real property;

(4) Identify every holder;

(5) Be signed by the department, every holder, and unless waived by the department, every owner of the fee simple of the real property subject to the covenant; and

(6) Identify the name and location of any administrative record for the environmental response project reflected in the environmental covenant.

2. In addition to the information required by subsection 1 of this section, an environmental covenant may contain other information, restrictions, and requirements agreed to by the persons who signed it, including any:

(1) Requirements for notice following transfer of a specified interest in, or concerning proposed changes in use of, applications for building permits for, or proposals for any site work affecting the contamination on, the property subject to the covenant;

- (2) Requirements for periodic reporting describing compliance with the covenant;
 - (3) Rights of access to the property granted in connection with implementation or enforcement of the covenant;
 - (4) A brief narrative description of the contamination and remedy, including the contaminants of concern, the pathways of exposure, limits on exposure, and the location and extent of the contamination;
 - (5) Limitation on amendment or termination of the covenant in addition to those contained in sections 260.1024 and 260.1027; and
 - (6) Rights of the holder in addition to its right to enforce the covenant under section 260.1030.
3. In addition to other conditions for its approval of an environmental covenant, the department may require those persons specified by the department who have interests in the real property to sign the covenant.

260.1012. 1. An environmental covenant that complies with sections 260.1000 to 260.1039 runs with the land.

2. An environmental covenant that is otherwise effective is valid and enforceable even if:
- (1) It is not appurtenant to an interest in real property;
 - (2) It can be or has been assigned to a person other than the original holder;
 - (3) It is not of a character that has been recognized traditionally at common law;
 - (4) It imposes a negative burden;
 - (5) It imposes an affirmative obligation on a person having an interest in the real property or on the holder;
 - (6) The benefit or burden does not touch or concern real property;
 - (7) There is no privity of estate or contract;
 - (8) The holder dies, ceases to exist, resigns, or is replaced; or
 - (9) The owner of an interest subject to the environmental covenant and the holder are the same person.

3. An instrument that creates restrictions or obligations with respect to real property that would qualify as activity and use limitations except for the fact that the instrument was recorded before the effective date of sections 260.1000 to 260.1039 is not invalid or unenforceable because of any of the limitations on enforcement of interests described in subsection 2 of this section or because it was identified as an easement, servitude, deed restriction, or other interest. Sections 260.1000 to 260.1039 shall not apply in any other respect to such an instrument.

4. Sections 260.1000 to 260.1039 shall not invalidate or render unenforceable any interest, whether designated as an environmental covenant or other interest, that is otherwise enforceable under the laws of this state.

260.1015. Sections 260.1000 to 260.1039 shall not authorize a use of real property that is otherwise prohibited by zoning, by law other than sections 260.1000 to 260.1039 regulating use of real property, or by a recorded instrument that has priority over the environmental covenant. An environmental covenant may prohibit or restrict uses of real property which are authorized by zoning or by laws other than sections 260.1000 to 260.1039.

260.1018. 1. A copy of an environmental covenant shall be provided by the persons and in the manner required by the department to:

- (1) Each person that signed the covenant;
- (2) Each person holding a recorded interest in the real property subject to the covenant;
- (3) Each person in possession of the real property subject to the covenant;
- (4) Each municipality or other unit of local government in which real property subject to the covenant is located; and
- (5) Any other person the department requires.

2. The validity of a covenant is not affected by failure to provide a copy of the covenant as required under this section.

260.1021. 1. An environmental covenant and any amendment or termination of the covenant shall be recorded in every county or city not within a county in which any portion of the real property subject to the covenant is located. For purposes of indexing, a holder shall be treated as a grantee.

2. Except as otherwise provided in section 260.1024, an environmental covenant is subject to the laws of this state governing recording and priority of interests in real property.

260.1024. 1. An environmental covenant is perpetual unless it is:

- (1) By its terms, limited to a specific duration or terminated by the occurrence of a specific event;
- (2) Terminated by consent under section 260.1027;
- (3) Terminated by subsection 2 of this section;
- (4) Terminated by foreclosure of an interest that has priority over the environmental covenant; or
- (5) Terminated or modified in an eminent domain proceeding, but only if:
 - (a) The department that signed the covenant is a party to the proceeding;
 - (b) All persons identified in section 260.1027 are given notice of the pendency of the proceeding; and
 - (c) The court determines, after hearing, that the termination or modification will not adversely affect

human health, public welfare, or the environment.

2. If the department that signed an environmental covenant has determined that the intended benefits of the covenant can no longer be realized, a court, under the doctrine of changed circumstances, in an action in which all persons identified in section 260.1027 have been given notice, may terminate the covenant or reduce its burden on the real property subject to the covenant. The department's determination or its failure to make a determination upon request is subject to review under chapter 536, RSMo.

3. Except as otherwise provided in subsections 1 and 2 of this section, an environmental covenant may not be extinguished, limited, or impaired through issuance of a tax deed, foreclosure of a tax lien, or application of the doctrine of adverse possession, prescription, abandonment, waiver, lack of enforcement, or acquiescence, or any similar doctrine.

4. An environmental covenant may not be extinguished, limited, or impaired by the application of chapter 442, RSMo, or chapter 444, RSMo.

260.1027. 1. An environmental covenant may be amended or terminated by consent only if the amendment or termination is signed by:

- (1) The department;
- (2) Unless this requirement is waived by the department, the current owner of the fee simple of the real property subject to the covenant;
- (3) Each person that originally signed the covenant, unless the person waived in a signed record the right to consent or a court finds that the person no longer exists or cannot be located or identified with the exercise of reasonable diligence; and
- (4) The holder, except as otherwise provided in subsection 4 of this section.

2. If an interest in real property is subject to an environmental covenant, the interest is not affected by an amendment of the covenant unless the current owner of the interest consents to the amendment or has waived in a signed record the right to consent to amendments.

3. Except for an assignment undertaken under a governmental reorganization, assignment of an environmental covenant to a new holder is an amendment.

4. Except as otherwise provided in an environmental covenant:

- (1) A holder may not assign its interest without consent of the other parties;
- (2) A holder may be removed and replaced by agreement of the other parties specified in subsection 1 of this section.

5. A court of competent jurisdiction may fill a vacancy in the position of holder.

260.1030. 1. A civil action for injunctive or other equitable relief for violation of an environmental covenant may be maintained by:

- (1) A party to the covenant;
- (2) The department;
- (3) Any person to whom the covenant expressly grants power to enforce;
- (4) A person whose interest in the real property or whose collateral or liability may be affected by the alleged violation of the covenant; or
- (5) A municipality or other unit of local government in which the real property subject to the covenant is located.

2. Sections 260.1000 to 260.1039 do not limit the regulatory authority of the department under law other than sections 260.1000 to 260.1039 with respect to an environmental response project.

3. A person is not responsible for or subject to liability for environmental remediation solely because it has the right to enforce an environmental covenant.

260.1033. 1. The department shall establish an activity and use limitation information system and ensure that it is maintained, that provides readily accessible information on sites with known contamination, and records the creation, amendment, and termination of covenants. The activity and use limitation information system shall distinguish clearly between three categories of sites contaminated with hazardous substance contamination:

(1) Sites where no investigation or remedial action has been performed, or where remedial actions are in progress but are not complete;

(2) Sites where remedial action has been taken to address known risks to human health, public welfare, and the environment and the site is suitable for certain land uses and the department has issued a letter indicating that the site is suitable for certain land uses and that further investigation and remedial action is not required;

(3) Sites where previous concerns about contamination should no longer be an issue because of removal of waste and contamination or investigation results that demonstrate that contamination is now below levels considered suitable for unrestricted use.

2. After an environmental covenant or an amendment or termination of a covenant is filed in the information system established under subsection 1 of this section, a notice of the covenant, amendment, or termination that complies with this section may be recorded in the land records in lieu of recording the entire covenant. Any such notice shall contain:

(1) A legally sufficient description and any available street address of the real property subject to the covenant;

(2) The name and address of the owner of the fee simple interest in the real property, the department, and the holder if other than the department;

(3) A statement that the covenant, amendment, or termination is available in an information system at the department, which discloses the method of any electronic access; and

(4) A statement that the notice is notification of an environmental covenant executed under sections 260.1000 to 260.1039.

3. A statement in substantially the following form, executed with the same formalities as a deed in this state, satisfies the requirements of subsection 2 of this section:

"1. This notice is filed in the land records of the (political subdivision) of (insert name of jurisdiction in which the real property is located) under Sections 260.1000 to 260.1039, RSMo.

2. This notice and the covenant, amendment or termination to which it refers may impose significant obligations with respect to the property described below.

3. A legal description of the property is attached as Exhibit A to this notice. The address of the property that is subject to the environmental covenant is (insert address of property) (not available).

4. The name and address of the owner of the fee simple interest in the real property on the date of this notice is (insert name of current owner of the property and the owner's current address as shown on the tax records of the jurisdiction in which the property is located).

5. The environmental covenant, amendment or termination was signed by (insert name and address of the department).

6. The environmental covenant, amendment, or termination was filed in the information system on (insert date of filing).

7. The full text of the covenant, amendment or termination and any other information required by the department is on file and available for inspection and copying in the information system maintained for that purpose by the department at (insert address and room of building in which the information system is maintained). The covenant, amendment or termination may be found electronically at (insert Internet address for covenant)."

260.1036. Sections 260.1000 to 260.1039 shall not apply to aboveground or underground storage tanks as defined in section 319.100, RSMo.

260.1039. As authorized in 15 U.S.C. 7002, as amended, sections 260.1000 to 260.1039 modifies, limits, or supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001, et seq., but do not modify, limit, or supersede 15 U.S.C. Section 7001(a), or authorize electronic delivery of any of the notices described in 15 U.S.C. Section 7003(b)."; and

Further amend said bill, Page 11, Section 414.420, Line 38, by inserting after all of said line the following:

"444.772. 1. Any operator desiring to engage in surface mining shall make written application to the director for a permit.

2. Application for permit shall be made on a form prescribed by the commission and shall include:

(1) The name of all persons with any interest in the land to be mined;

(2) The source of the applicant's legal right to mine the land affected by the permit;

(3) The permanent and temporary post office address of the applicant;

(4) Whether the applicant or any person associated with the applicant holds or has held any other permits pursuant to sections 444.500 to 444.790, and an identification of such permits;

(5) The written consent of the applicant and any other persons necessary to grant access to the commission or the director to the area of land affected under application from the date of application until the expiration of any permit granted under the application and thereafter for such time as is necessary to assure compliance with all provisions of sections 444.500 to 444.790 or any rule or regulation promulgated pursuant to them. Permit applications submitted by operators who mine an annual tonnage of less than ten thousand tons shall be required to include written consent from the operator to grant access to the commission or the director to the area of land affected;

(6) A description of the tract or tracts of land and the estimated number of acres thereof to be affected by the surface mining of the applicant for the next succeeding twelve months; and

(7) Such other information that the commission may require as such information applies to land reclamation.

3. The application for a permit shall be accompanied by a map in a scale and form specified by the commission by regulation.

4. The application shall be accompanied by a bond, security or certificate meeting the requirements of section 444.778, **a geologic resources fee authorized under section 256.700, RSMo,** and a permit fee approved by the commission not to exceed [six hundred] **one thousand** dollars. The commission may also require a fee for each site listed on a permit not to exceed [three] **four** hundred dollars for each site. If mining operations are not conducted at a site for six months or more during any year, the fee for such site for that year shall be reduced by fifty percent. The commission may also require a fee for each acre bonded by the operator pursuant to section 444.778 not to exceed [ten] **twenty** dollars per acre. If such fee is assessed, the per-acre fee on all acres bonded by a single operator that exceed a total of [one] **two** hundred acres shall be reduced by fifty percent. In no case shall the total fee for any permit be more than [two] **three** thousand [five hundred] dollars. Permit and renewal fees shall be established by rule, **except for the initial fees as set forth in this subsection,** and shall be set at levels that recover the cost of administering and enforcing sections 444.760 to 444.790, making allowances for grants and other sources of funds. The director shall submit a report to the commission and the public each year that describes the number of employees and the activities performed the previous calendar year to administer sections 444.760 to 444.790. For any operator of a gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, the total cost of submitting an application shall be three hundred dollars. The issued permit shall be valid from the date of its issuance until the date specified in the mine plan unless sooner revoked or suspended as provided in sections 444.760 to 444.790. **Beginning August 28, 2007, the fees shall be set at a permit fee of eight hundred dollars, a site fee of four hundred dollars, and an acre fee of ten dollars, with a maximum fee of three thousand dollars. Fees may be raised as allowed in this subsection after a regulation change that demonstrates the need for increased fees.**

5. An operator desiring to have his or her permit amended to cover additional land may file an amended application with the commission. Upon receipt of the amended application, and such additional fee and bond as may be required pursuant to the provisions of sections 444.760 to 444.790, the director shall, if the applicant complies with all applicable regulatory requirements, issue an amendment to the original permit covering the additional land described in the amended application.

6. An operation may withdraw any land covered by a permit, excepting affected land, by notifying the commission thereof, in which case the penalty of the bond or security filed by the operator pursuant to the provisions of sections 444.760 to 444.790 shall be reduced proportionately.

7. Where mining or reclamation operations on acreage for which a permit has been issued have not been completed, the permit shall be renewed. The operator shall submit a permit renewal form furnished by the director for an additional permit year and pay a fee equal to an application fee calculated pursuant to subsection 4 of this section, but in no case shall the renewal fee for any operator be more than [two] **three** thousand [five hundred] dollars. For any operator involved in any gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, the permit as to such acreage shall be renewed by applying on a permit renewal form furnished by the director for an additional permit year and payment of a fee of three hundred dollars. Upon receipt of the completed permit renewal form and fee from the operator, the director shall approve the renewal. With approval of the director and operator, the permit renewal may be extended for a portion of an additional year with a corresponding prorating of the renewal fee.

8. Where one operator succeeds another at any uncompleted operation, either by sale, assignment, lease or otherwise, the commission may release the first operator from all liability pursuant to sections 444.760 to 444.790 as to that particular operation if both operators have been issued a permit and have otherwise complied with the requirements of sections 444.760 to 444.790 and the successor operator assumes as part of his or her obligation pursuant to sections 444.760 to 444.790 all liability for the reclamation of the area of land affected by the former operator.

9. The application for a permit shall be accompanied by a plan of reclamation that meets the requirements of sections 444.760 to 444.790 and the rules and regulations promulgated pursuant thereto, and shall contain a verified statement by the operator setting forth the proposed method of operation, reclamation, and a conservation plan for the affected area including approximate dates and time of completion, and stating that the operation will meet the requirements of sections 444.760 to 444.790, and any rule or regulation promulgated pursuant to them.

10. At the time that a permit application is deemed complete by the director, the operator shall publish a notice of intent to operate a surface mine in any newspaper qualified pursuant to section 493.050, RSMo, to publish legal notices in any county where the land is located. If the director does not respond to a permit application within forty-five calendar days, the application shall be deemed to be complete. Notice in the newspaper shall be posted once a week for four consecutive weeks beginning no more than ten days after the application is deemed complete. The operator shall also send notice of intent to operate a surface mine by certified mail to the governing body of the counties or cities in which the proposed area is located, and to the last known addresses of all record landowners of contiguous real property or real property located adjacent to the proposed mine plan area. The notices shall include the name and address of the operator, a legal description consisting of county, section, township and range, the number of acres involved, a statement that the operator plans to mine a specified mineral during a specified time, and the address of the commission. The notices shall also contain a statement that any person with a direct, personal interest in one or more of the factors the commission may consider in issuing a permit may request a public meeting, a public hearing or file written comments to the director no later than fifteen days following the final public notice publication date.

11. The commission may approve a permit application or permit amendment whose operation or reclamation plan deviates from the requirements of sections 444.760 to 444.790 if it can be demonstrated by the operator that the conditions present at the surface mining location warrant an exception. The criteria accepted for consideration when evaluating the merits of an exception or variance to the requirements of sections 444.760 to 444.790 shall be established by regulations.

12. Fees imposed pursuant to this section shall become effective August 28, [2001] **2007**, and shall expire on December 31, [2007] **2013**. No other provisions of this section shall expire."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey assumed the Chair.

Speaker Jetton resumed the Chair.

Representative Dempsey resumed the Chair.

Representative Shively offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 54, Page 7, Line 25, by deleting the words "or should have known".

Representative Shively moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Kuessner offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2 to House Amendment No. 1 was withdrawn.

On motion of Representative Bivins, **House Amendment No. 1** was adopted.

Representative Hobbs offered **House Amendment No. 2.**

Representative Darrough raised a point of order that **House Amendment No. 2** is not germane to the bill.

Representative Dempsey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Robb offered **House Amendment No. 3.**

House Amendment No. 3 was withdrawn.

Representative Schad offered **House Amendment No. 4.**

Representative Darrough raised a point of order that **House Amendment No. 4** is not germane to the bill.

Representative Dempsey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Holsman offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 54, Page 6, Section 260.250, Line 14, by inserting after all of said line the following:

"386.890. 1. This section shall be known and may be cited as the "Net Metering and Easy Connection Act".

2. As used in this section, the following terms shall mean:

(1) "Avoided fuel cost", the current average cost of fuel for the entity generating electricity, as defined by the governing body with jurisdiction over any municipal electric utility, rural electric cooperative as provided in chapter 394, RSMo, or electrical corporation as provided in chapter 386, RSMo;

(2) "Commission", the public service commission of the state of Missouri;

- (3) "Customer-generator", the owner or operator of a qualified electric energy generation unit which:
 - (a) Is powered by a renewable energy resource;
 - (b) Has an electrical generating system with a capacity of not more than one hundred kilowatts;
 - (c) Is located on a premises owned, operated, leased, or otherwise controlled by the customer-generator;
 - (d) Is interconnected and operates in parallel phase and synchronization with a retail electric supplier and has been approved by said retail electric supplier;
 - (e) Is intended primarily to offset part or all of the customer-generator's own electrical energy requirements;
 - (f) Meets all applicable safety, performance, interconnection, and reliability standards established by the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the Federal Energy Regulatory Commission, and any local governing authorities; and
 - (g) Contains a mechanism that automatically disables the unit and interrupts the flow of electricity back onto the supplier's electricity lines in the event that service to the customer-generator is interrupted;
- (4) "Department", the department of natural resources;
- (5) "Net metering", using metering equipment sufficient to measure the difference between the electrical energy supplied to a customer-generator by a retail electric supplier and the electrical energy supplied by the customer-generator to the retail electric supplier over the applicable billing period;
- (6) "Renewable energy resources", electrical energy produced from wind, solar thermal sources, hydroelectric sources, photovoltaic cells and panels, fuel cells using hydrogen produced by one of the above-named electrical energy sources, and other sources of energy that become available after August 28, 2007, and are certified as renewable by the department;
- (7) "Retail electric supplier" or "supplier", any municipal utility, electrical corporation regulated under this chapter, or rural electric cooperative under chapter 394, RSMo, that provides retail electric service in this state.

3. A retail electric supplier shall:

- (1) Make net metering available to customer-generators on a first-come, first-served basis until the total rated generating capacity of net metering systems equals five percent of the utility's single-hour peak load during the previous year, after which the commission for a public utility or the governing body for other electric utilities may increase the total rated generating capacity of net metering systems to an amount above five percent. However, in a given calendar year, no retail electric supplier shall be required to approve any application for interconnection if the total rated generating capacity of all applications for interconnection already approved to date by said supplier in said calendar year equals or exceeds one percent of said supplier's single-hour peak load for the previous calendar year;
- (2) Offer to the customer-generator a tariff or contract that is identical in electrical energy rates, rate structure, and monthly charges to the contract or tariff that the customer would be assigned if the customer were not an eligible customer-generator but shall not charge the customer-generator any additional standby, capacity, interconnection, or other fee or charge that would not otherwise be charged if the customer were not an eligible customer-generator; and
- (3) Disclose annually the availability of the net metering program to each of its customers with the method and manner of disclosure being at the discretion of the supplier.

4. A customer-generator's facility shall be equipped with sufficient metering equipment that can measure the net amount of electrical energy produced or consumed by the customer-generator. If the customer-generator's existing meter equipment does not meet these requirements or if it is necessary for the electric supplier to install additional distribution equipment to accommodate the customer-generator's facility, the customer-generator shall reimburse the retail electric supplier for the costs to purchase and install the necessary additional equipment. At the request of the customer-generator, such costs may be initially paid for by the retail electric supplier, and any amount up to the total costs and a reasonable interest charge may be recovered from the customer-generator over the course of up to twelve billing cycles. Any subsequent meter testing, maintenance or meter equipment change necessitated by the customer-generator shall be paid for by the customer-generator.

5. Consistent with the provisions in this section, the net electrical energy measurement shall be calculated in the following manner:

- (1) For a customer-generator, a retail electric supplier shall measure the net electrical energy produced or consumed during the billing period in accordance with normal metering practices for customers in the same

rate class, either by employing a single, bidirectional meter that measures the amount of electrical energy produced and consumed, or by employing multiple meters that separately measure the customer-generator's consumption and production of electricity;

(2) If the electricity supplied by the supplier exceeds the electricity generated by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the supplier in accordance with normal practices for customers in the same rate class;

(3) If the electricity generated by the customer-generator exceeds the electricity supplied by the supplier during a billing period, the customer-generator shall be billed for the appropriate customer charges for that billing period in accordance with subsection 3 of this section and shall be credited an amount at least equal to the avoided fuel cost of the excess kilowatt-hours generated during the billing period, with this credit applied to the following billing period;

(4) Any credits granted by this subsection shall expire without any compensation at the earlier of either twelve months after their issuance or when the customer-generator disconnects service or terminates the net metering relationship with the supplier;

(5) For any rural electric cooperative under chapter 394, RSMo, or municipal utility, upon agreement of the wholesale generator supplying electric energy to the retail electric supplier, at the option of the retail electric supplier, the credit to the customer-generator may be provided by the wholesale generator.

6. (1) Each qualified electric energy generation unit used by a customer-generator shall meet all applicable safety, performance, interconnection, and reliability standards established by any local code authorities, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, and Underwriters Laboratories for distributed generation. No supplier shall impose any fee, charge, or other requirement not specifically authorized by this section or the rules promulgated under subsection 9 of this section unless the fee, charge, or other requirement would apply to similarly situated customers who are not customer-generators, except that a retail electric supplier may require that a customer-generator's system contain a switch, circuit breaker, fuse, or other easily accessible device or feature located in immediate proximity to the customer-generator's metering equipment that would allow a utility worker the ability to manually and instantly disconnect the unit from the utility's electric distribution system;

(2) For systems of ten kilowatts or less, a customer-generator whose system meets the standards and rules under subdivision (1) of this subsection shall not be required to install additional controls, perform or pay for additional tests or distribution equipment, or purchase additional liability insurance beyond what is required under subdivision (1) of this subsection and subsection 4 of this section;

(3) For customer-generator systems of greater than ten kilowatts, the commission for public utilities and the governing body for other utilities shall, by rule or equivalent formal action by each respective governing body:

- (a) Set forth safety, performance, and reliability standards and requirements; and
- (b) Establish the qualifications for exemption from a requirement to install additional controls, perform or pay for additional tests or distribution equipment, or purchase additional liability insurance.

7. (1) Applications by a customer-generator for interconnection of a qualified electric energy generation unit meeting the requirements of subdivision (3) of subsection 2 of this section to the distribution system shall be accompanied by the plan for the customer-generator's electrical generating system, including but not limited to, a wiring diagram and specifications for the generating unit, and shall be reviewed and responded to by the retail electric supplier within thirty days of receipt for systems ten kilowatts or less and within ninety days of receipt for all other systems. Prior to the interconnection of the qualified generation unit to the supplier's system, the customer-generator will furnish the retail electric supplier a certification from a qualified professional electrician or engineer that the installation meets the requirements of subdivision (1) of subsection 6 of this section. If the application for interconnection is approved by the retail electric supplier and the customer-generator does not complete the interconnection within one year after receipt of notice of the approval, the approval shall expire and the customer-generator shall be responsible for filing a new application.

(2) Upon the change in ownership of a qualified electric energy generation unit, the new customer-generator shall be responsible for filing a new application under subdivision (1) of this subsection.

8. Each commission-regulated supplier shall submit an annual net metering report to the commission, and all other non-regulated suppliers shall submit the same report to their respective governing body and make said report available to a consumer of the supplier upon request, including the following information for the previous calendar year:

- (1) The total number of customer-generator facilities;

- (2) The total estimated generating capacity of its net-metered customer-generators; and
- (3) The total estimated net kilowatt-hours received from customer-generators.

9. The commission shall, within nine months of the effective date of this section, promulgate initial rules necessary for the administration of this section for public utilities, which shall include regulations ensuring that simple contracts will be used for interconnection and net metering. For systems of ten kilowatts or less, the application process shall use an all-in-one document that includes a simple interconnection request, simple procedures, and a brief set of terms and conditions. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

10. The governing body of a rural electric cooperative or municipal utility shall, within nine months of the effective date of this section, adopt policies establishing a simple contract to be used for interconnection and net metering. For systems of ten kilowatts or less, the application process shall use an all-in-one document that includes a simple interconnection request, simple procedures, and a brief set of terms and conditions.

11. For any cause of action relating to any damages to property or person caused by the generation unit of a customer-generator or the interconnection thereof, the retail electric supplier shall have no liability absent clear and convincing evidence of fault on the part of the supplier.

12. The estimated generating capacity of all net metering systems operating under the provisions of this section shall count towards the respective retail electric supplier's accomplishment of any renewable energy portfolio target or mandate adopted by the Missouri general assembly.

13. The sale of qualified electric generation units to any customer-generator shall be subject to the provisions of sections 407.700 to 407.720, RSMo. The attorney general shall have the authority to promulgate in accordance with the provisions of chapter 536, RSMo, rules regarding mandatory disclosures of information by sellers of qualified electric generation units. Any interested person who believes that the seller of any electric generation unit is misrepresenting the safety or performance standards of any such systems, or who believes that any electric generation unit poses a danger to any property or person, may report the same to the attorney general, who shall be authorized to investigate such claims and take any necessary and appropriate actions.

14. Any costs incurred under this act by a retail electric supplier shall be recoverable in that utility's rate structure.

15. No consumer shall connect or operate an electric generation unit in parallel phase and synchronization with any retail electric supplier without written approval by said supplier that all of the requirements under subdivision (1) of subsection 7 of this section have been met. For a consumer who violates this provision, a supplier may immediately and without notice disconnect the electric facilities of said consumer and terminate said consumer's electric service.

16. The manufacturer of any electric generation unit used by a customer-generator may be held liable for any damages to property or person caused by a defect in the electric generation unit of a customer-generator.

17. The seller, installer, or manufacturer of any electric generation unit who knowingly misrepresents the safety aspects of an electric generation unit may be held liable for any damages to property or person caused by the electric generation unit of a customer-generator."; and

Further amend said bill, Page 14, Section 1, Line 3, by inserting after all of said line the following:

"[386.887. 1. This section shall be known and may be cited as the "Consumer Clean Energy Act".

2. As used in this section, the following terms mean:

- (1) "Commission", the public service commission of the state of Missouri;
- (2) "Customer-generator", a consumer of electric energy who purchases electric energy from a retail electric energy supplier and is the owner of a qualified net metering unit;
- (3) "Local distribution system", facilities for the distribution of electric energy to the ultimate consumer thereof;

(4) "Net energy metering", a measurement of the difference between the electric energy supplied to a customer-generator by a retail electric supplier and the electric energy generated by a customer-generator that is delivered to a local distribution system at the same point of interconnection;

(5) "Qualified net metering unit", an electric generation unit which:

(a) Is owned by a customer-generator;

(b) Is a hydrogen fuel cell or is powered by sun, wind or biomass;

(c) Has an electrical generating system with a capacity of not more than one hundred kilowatts;

(d) Is located on the premises that are owned, operated, leased or otherwise controlled by the customer-generator;

(e) Is interconnected and operates in parallel and in synchronization with a retail electric supplier; and

(f) Is intended primarily to offset part or all of the customer-generator's own electrical requirements;

(6) "Retail electric supplier" or "supplier", any person that sells electric energy to the ultimate consumer thereof;

(7) "Value of electric energy", the total resulting from the application of the appropriate rates, which may be time of use rates at the option of the supplier, to the quantity of electric energy produced from qualified net metering units or to the quantity of electric energy sold to customer-generators.

3. By August 28, 2003, each retail electric supplier shall adopt rates, charges, conditions and contract terms for the purchase from and the sale of electric energy to customer-generators. The commission, in consultation with the department and retail electric suppliers, shall develop a simple contract for such transactions and make it available to eligible customer-generators and retail electric suppliers. Upon agreement of the wholesale generator supplying electric energy to the retail electric supplier, at the option of the retail electric supplier, the purchase from the customer-generator may be by the wholesale generator. Any time of use or other rates charged for electric energy sold to customer-generators shall be the same as those made available to any other customers with the same net electric energy usage pattern including minimum bills and service availability charges. Rates for electric energy generated by the customer-generator from a qualified net generating unit and sold to the retail electric supplier or its wholesale generator shall be the avoided cost (time of use or nontime of use) of the generation used by the retail electric supplier to serve its other customers. Whenever a customer-generator with a qualified net generating unit uses any energy generation method entitled to eligibility under a minimum renewable energy generation requirement, the total amount of energy generated by that method shall be treated as generated by the generator providing electric energy to the retail electric supplier for purposes of such requirement. The wholesale generator, at the option of the retail electric supplier, shall receive credit for emissions avoided by the wholesale generator because of electric energy purchased by the wholesale generator or the retail electric supplier from a qualified net metering unit. If the supplier is required to file tariffs with the commission, the commission shall review the reasonableness of the charges provided in such tariffs.

4. Each retail electric supplier shall calculate the net energy measurement for a customer-generator in the following manner:

(1) The retail electric supplier shall individually measure both the electric energy produced and the electric energy consumed by the customer-generator during each billing period using an electric metering capable of such function, either by a single meter capable of registering the flow of electricity in two directions or by using multiple meters;

(2) If the value of the electric energy supplied by the retail electric supplier exceeds the value of the electric energy delivered by the customer-generator to the retail electric supplier during a billing period, then the customer-generator shall be billed for the net value of the electric energy supplied by the retail electric supplier in accordance with the rates, terms and conditions established by the retail electric supplier for customer-generators; and

(3) If the value of the electric energy generated by the customer-generator exceeds the value of the electric energy supplied by the retail electric supplier, then the customer-generator:

(a) Shall be billed for the appropriate customer charges for that billing period; and

(b) Shall be credited for the excess value of the electric energy generated and supplied to the retail electric supplier during the billing period, with this credit appearing on the bill for the following billing period.

5. A retail electric supplier shall not be required to provide net metering service with respect to additional customer-generators after the date during any calendar year on which the total generating capacity of all customer-generators with qualified net metering units served by that retail electric supplier is equal to or in excess of the lesser of ten thousand kilowatts or one-tenth of one percent of the capacity necessary to meet the company's aggregate customer peak demand for the preceding calendar year.

6. Each retail electric supplier shall maintain and make available to the public records of the total generating capacity of customer-generators of the supplier that are using net metering, the type of generating systems and energy source used by the electric generating systems which customer-generators use. Each such retail electric supplier shall notify the commission when the total generating capacity of such customer-generators is equal to or in excess of the lesser of ten thousand kilowatts or one-tenth of one percent of the capacity necessary to meet the company's aggregate customer peak demand for the preceding calendar year.

7. Each qualified net metering unit used by a customer-generator shall meet all applicable safety, performance, synchronization, interconnection and reliability standards established by the commission, the National Electrical Safety Code, National Electrical Code, the Institute of Electrical, Electronics Engineers, and Underwriters Laboratories. Each qualified net metering unit used by a customer-generator shall also meet all reasonable standards and requirements established by the retail electric supplier to enhance employee, consumer and public safety and the reliability of electric service to the customer-generator and other consumers receiving electric service from the retail electric supplier. Each qualified net metering unit used by a customer-generator shall also comply with all applicable local building, electrical and safety codes. The customer-generator shall obtain liability insurance coverage in amounts and coverage as set by the commission by rule applicable to all qualified net metering units.

8. The cost of meeting the standards of subsection 7 of this section and any cost to install additional controls, to install additional metering, to perform or pay for additional tests or analysis of the effect of the operation of the qualified net metering unit on the local distribution system shall be paid by the customer-generator.

9. Applications by a customer-generator for interconnection to the distribution system shall include a copy of the plans and specifications for the qualified net metering unit for review and acceptance by the retail electric supplier. Prior to connection of the qualified net metering unit to the distribution system, the customer-generator will furnish the retail electric supplier a certification from a qualified professional electrician or engineer that the installation meets the requirements of subsection 7 of this section. Such applications shall be reviewed and responded to by the retail electric supplier within ninety days. If the application for interconnection is approved by the retail electric supplier, the retail electric supplier shall complete the interconnection within fifteen days if electric service already exists to the premises, unless a later date is mutually agreeable to both the customer-generator and the retail electric supplier.

10. The sale of qualified net metering units shall be subject to the provisions of sections 407.700 to 407.720, RSMo. The attorney general shall have the authority to promulgate in accordance with the provisions of chapter 536, RSMo, rules regarding mandatory disclosures of information by sellers of qualified net metering units. Such rules shall as a minimum require disclosure or the standards of subsection 7 of this section and potential liability of the owner or operator of a qualified net metering unit to third persons for personal injury or property damage as a result of negligent operation of a qualified net metering unit. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the

grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.]" ; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 5** was adopted.

Representative Harris (23) offered **House Amendment No. 6**.

Representative Hobbs raised a point of order that **House Amendment No. 6** is not germane to the bill.

Representative Dempsey requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Bivins, **HCS SCS SB 54, as amended**, was adopted.

Speaker Jetton resumed the Chair.

On motion of Representative Bivins, **HCS SCS SB 54, as amended**, was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 006

Baker 25 Bringer Donnelly Harris 23 Kuessner
Talboy

PRESENT: 002

Wilson 119 Wilson 130

ABSENT WITH LEAVE: 009

Bowman Curls Hunter Kratky Moore
Ruestman Salva Walton Wildberger

Speaker Jetton declared the bill passed.

HCS SCS SB 47, relating to fire protection, was taken up by Representative Bruns.

Representative Cooper (120) assumed the Chair.

Representative Bruns offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 47, Page 4, Section 320.339, Line 8, by inserting after all of said line the following:

"Section 1. The inspection conducted under subsection 14 of section 190.105, RSMo, shall be limited to the verification of compliance with standards for renewal of an existing license, and shall not include the criteria set forth in subsection 3 of section 190.109, RSMo, or any other existing criteria required for the issuance of a license to a nonlicense holder or for a licensee seeking to expand its ambulance service area. Any licenses acquired upon a sale or transfer of any ground ambulance service ownership shall remain in full force and effect after the sale or transfer unless suspended or revoked for cause as provided in section 190.165, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 1** was adopted.

Representative Portwood offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 47, Page 1, Section A, Line 3, by inserting after all of said line the following:

"320.097. 1. As used in this section, "fire department" means any agency or organization that provides fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, dispatching, or special operations to a population within a fixed and legally recorded geographical area.

2. No employee of a fire department shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department's geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee's employment. No charter school shall be deemed a public school for purposes of this section.

3. No employee of a fire department who has not resided in such fire department's fixed and legally recorded geographical area, or who has changed such employee's residency because of conditions described in subsection 2 of this section, shall as a condition of employment be required to reside within the fixed and legally recorded geographical area of the fire department if such school district subsequently becomes fully accredited."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Johnson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Villa offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 47, Page 1, Section 320.097, Line 9, by inserting after "2." the following:

"Subject to the approval of the Board of Aldermen,".

HCS SCS SB 47, as amended, with House Amendment No. 1 to House Amendment No. 2, and House Amendment No. 2, pending, was laid over.

On motion of Representative Dempsey, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3249 through House Resolution No. 3320

HOUSE BILL WITH SENATE AMENDMENT

SS SCS HCS HB 16, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that **SS SCS HCS HB 16** be adopted.

Representative Salva made a substitute motion that the House refuse to adopt **SS SCS HCS HB 16** and request the Senate to recede from its position, and, failing to do so, grant the House a conference for the purpose of reducing the amount of money appropriated to Missouri State University by \$176,734.

Which motion was defeated by the following vote:

AYES: 059

Aull	Baker 123	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Deeken	Donnelly	Dusenberg	Fallert
Flook	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Komo	Kratky	Kraus	LeVota	Liese
McClanahan	Meadows	Meiners	Nasheed	Norr
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Silvey	Skaggs	Spreng	Storch	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wright-Jones	Yaeger	Zimmerman	Zweifel	

NOES: 097

Avery	Baker 25	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Daus	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fares	Fisher
Franz	Funderburk	Grisamore	Guest	Hobbs
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Lampe
Lembke	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Oxford
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Young	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Dougherty	El-Amin	Kuessner	Marsh
Walton	Wildberger			

On motion of Representative Ice, **SS SCS HCS HB 16** was adopted by the following vote:

AYES: 106

Aull	Avery	Bearden	Bivins	Bland
Brandom	Brown 30	Bruns	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fares	Fisher	Flook	Franz

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Funderburk	Grisamore	Guest	Hobbs	Hodges
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kratky	Lampe	Lembke	Lipke	Loehner
May	McClanahan	McGhee	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 159	Wright-Jones	Young
Mr Speaker				

NOES: 053

Baker 25	Baker 123	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	Ervin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Holsman	Komo	Kraus	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Muschany
Oxford	Page	Quinn 9	Roorda	Salva
Sander	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Walsh	Walton	Witte	Yaeger
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 004

Curls	Kuessner	Marsh	Wildberger
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On motion of Representative Ice, **SS SCS HCS HB 16** was truly agreed to and finally passed by the following vote:

AYES: 105

Aull	Avery	Bearden	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hodges	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Kratky	Lampe
Lembke	Lipke	Loehner	Lowe 44	May
McClanahan	McGhee	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Sater	Schaaf	Schad

Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yates	Young	Mr Speaker

NOES: 050

Baker 25	Bowman	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Darrough	Daus	Davis
Donnelly	Ervin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Holsman
Komo	Kraus	LeVota	Liese	Low 39
Meadows	Meiners	Muschany	Oxford	Page
Quinn 9	Roorda	Salva	Sander	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Walsh
Walton	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker 123	Curls	Hobbs	Hunter	Kuessner
Marsh	Scharnhorst	Wildberger		

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF SENATE BILL

SCS SB 4, relating to a health care provider tax, was taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 4, Page 1, Section 198.439, Line 2, by deleting the number "**2009**" and inserting in lieu thereof the number "**2011**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Icet, **House Amendment No. 1** was adopted.

Representative Baker (25) offered **House Amendment No. 2**.

Representative Stevenson raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Harris (110) offered **House Amendment No. 3**.

Representative Flook raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Icet, **SCS SB 4, as amended**, was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 005

Curls	Kratky	Kuessner	Marsh	Wildberger
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Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Bearden	Bivins
Bowman	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker 123	Bland	Curls	Kratky	Kuessner
Marsh	Wildberger			

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS#2 SB 406: Representatives Wallace, Moore, Viebrock, Lampe and Yaeger

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILLS

HCS SCS SB 384, as amended, with House Amendment No. 2, pending, relating to stolen license plate tabs, was taken up by Representative Daus.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

*House Substitute Amendment No. 1
for
House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 384, Section 301.301, Page 4, by inserting after all of said section the following:

"304.286. 1. The provisions of sections 304.286 to 304.290 shall be known as the "Missouri Universal Red Light Enforcement Act" (MURLE). For the purposes of sections 304.286 to 304.290, the following terms mean:

(1) "Agency", any county, city, town, village, municipality, state agency, or other political subdivision of this state that is authorized to issue a notice of violation for a violation of a state or local traffic law or regulation;

(2) "Automated photo red light enforcement system" or "system", a device owned by an agency consisting of a camera or cameras and vehicle sensor or sensors, installed to work in conjunction with a traffic control signal;

(3) "Owner", the owner of a motor vehicle as shown on the motor vehicle registration records of the Missouri department of revenue or the analogous department or agency of another state or country. The term "owner" includes:

(a) A lessee of a motor vehicle under a lease of six months or more; or

(b) The lessee of a motor vehicle rented or leased from a motor vehicle rental or leasing company, but does not include the motor vehicle rental or leasing company itself.

If there is more than one owner of the motor vehicle, the primary owner will be deemed the owner. If no primary owner is named, the first-listed owner will be deemed the owner;

(4) "Recorded image", an image recorded by an automated photo red light enforcement system that depicts the rear view of a motor vehicle and is automatically recorded by a high-resolution camera as a digital image;

(5) "Steady red signal indication violation" or "violation", a violation of a steady red signal indication under sections 304.271 and 304.281 or substantially similar agency ordinance or traffic laws;

(6) "Traffic control signal", a traffic control device that displays alternating red, yellow, and green lights intended to direct traffic as when to stop at or proceed through an intersection.

2. All automated photo red light enforcement systems shall be registered with the Missouri department of transportation prior to installation. The department of transportation shall collect a one-time registration fee of five hundred dollars per light and all registration fees collected shall be deposited in the "Red Light Enforcement Fund" hereby established. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be used to conduct audits to ensure agency compliance with the provisions of sections 304.271 to 304.281, including, but not limited to, ensuring that the agency is distributing the fines collected as required under section 304.287. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. No agency shall use an automated photo red light enforcement system unless the system is capable of producing at least two high-resolution color digital recorded images that show:

(1) The traffic control signal while it is emitting a steady red signal;

(2) The offending vehicle; and

(3) The rear license plate of the offending vehicle. One of the images must be of sufficient resolution to show clearly, while the vehicle is in the intersection and while the traffic signal is emitting a steady red signal, all three elements set forth in this subdivision and subdivisions (1) and (2) of this subsection.

4. The automated photo red light enforcement system shall not capture images of the front license plate of the motor vehicle.

5. The automated photo red light enforcement system shall utilize a video recording component which shall record the local time at which the two violation images were captured, as well as at least five seconds before and at least five seconds after the violation event.

6. No system may photograph or otherwise capture an image of the driver's face.

7. Agencies that utilize automated photo red light enforcement systems to detect and enforce steady red signal indication violations are subject to the conditions and limitations specified in sections 304.286 to 304.290.

8. Prior to activation of the system at an intersection:

(1) If not already present, the roadway first must be clearly marked with a white stripe indicating the stop line and the perimeter of the intersection;

(2) Warning signs shall be installed within five hundred feet of the white stripe indicating the stop line;

(3) Signal phase timings at intersections equipped with a system shall be certified by the Missouri department of transportation before the automated photo red light enforcement systems may be activated for enforcement purposes and any adjustment to such timing shall be made only by a department of transportation traffic engineer. If an agency alters the signal phase timing at an intersection without prior written approval from the Missouri department of transportation and without certification by the department of transportation traffic engineer, the agency shall be assessed a municipal fine of fifty thousand dollars for a first offense and the red light device shall be removed upon a subsequent violation. In no case shall a private vendor have the ability to control the signal phase timing connected with a system.

9. Prior to installing the automated photo red light enforcement system, the agency shall give notice of the intersection where the system will be located and of the date on which the system will begin to monitor the intersection. The agency shall give reasonable notice at least fourteen days prior to the installation of the system in a newspaper of general circulation throughout the political subdivision served by the agency.

10. Any agency that implements a system shall submit an annual report to the Missouri department of transportation. The report shall include, at a minimum:

(1) The number of intersections enforced by active systems;

(2) The number of notices of violation mailed;

(3) The number of notices of violation paid;

(4) The number of hearings; and

(5) The total revenue collected as a result of the program.

Any agency failing to complete the annual report required under this subsection within forty-five days of the time such report is due shall be assessed a fine of fifty thousand dollars and all automated photo red light enforcement systems shall be removed from the agency's jurisdiction.

11. Within three years of the establishment of an automated photo traffic law enforcement program, the implementing jurisdiction shall initiate a formal evaluation of the program to determine the program's impact on traffic safety. That evaluation shall be completed within one year.

12. An agency that establishes an automated photo red light enforcement system may enter into an agreement or agreements for the purpose of compensating a private vendor to perform operational and administrative tasks associated with the use of such system. The notice of violation issued under section 304.287, however, shall not be issued by a private vendor. Any compensation paid to a private vendor shall not be based upon the number of violations mailed, the number of citations issued, the number of violations paid, or the amount of revenue collected by the agency. The compensation paid to a private vendor shall be based upon the value of the equipment and the services provided or rendered in support of the system.

304.287. 1. Before a notice may be issued, all violation images produced by a system shall be reviewed and approved by a law or code enforcement officer employed by the agency in which the alleged violation occurred. Such review and acceptance shall be based on a full review of the images that clearly demonstrate a violation.

2. Based on inspection of recorded images produced by a system, a notice of violation or copy of such notice alleging that the violation occurred and signed manually or digitally by a duly authorized agent of the agency shall be evidence of the facts contained therein and shall be admissible in any proceeding alleging a violation under sections 304.286 to 304.290.

3. An agency shall mail or cause to be mailed a notice of violation by certified mail to the owner of the motor vehicle, which notice shall include, in addition to the requirements of supreme court rule no. 37:

(1) The name and address of the owner of the vehicle;
(2) The registration number of the motor vehicle involved in the violation;
(3) A copy of the two recorded images and a zoomed and cropped image of the vehicle license plate which was extracted from one of the two images;

(4) Information advising the registered owner of how he or she can review the video, photographic, and recorded images that captured the alleged violation. The agency may provide access to the video and other recorded images through the Internet. If access to the video and other recorded images is provided through the Internet, the agency shall ensure that such video and recorded images are accessible only to the registered owner through a password-protected system;

(5) A manually or digitally signed statement by a law or code enforcement officer employed by the agency that, based on inspection of the two recorded images and video sequence, the motor vehicle was operated in violation of a traffic control device or prevailing traffic laws or statutes;

(6) Information advising the registered owner of the manner, time, and place in which liability as alleged in the notice of violation may be contested, and warning that failure to pay the civil penalty or to contest liability within fourteen days from the mailing of notice is an admission of liability; and

(7) Information advising the registered owner that he or she may file an affidavit under subsection 8 of this section stating that he or she was not the operator of the vehicle at the time of the violation.

4. A notice of violation issued under this section shall be mailed no later than three business days after the violation was recorded by the automated photo red light enforcement system. The issuance of a notice of violation under this section shall be made by the agency, and shall not be subcontracted to a third party.

5. The civil penalties and court costs imposed for a violation detected and enforced pursuant to a system shall not exceed an amount that would have been imposed if the violation had been detected by a law enforcement officer present when the violation occurred. In no event shall the combined fine and court costs exceed one hundred dollars. Any fine collected under this section shall go to the local school district where the infraction occurred and shall not be distributed through the school funding mechanisms of section 163.031, RSMo. The chief elected official of any agency failing to distribute the funds as directed under this subsection shall be subject to criminal liability.

6. Notwithstanding any provision of law to the contrary, including but not limited to, sections 304.271, 304.281, 304.361, and 304.570, any person who commits a steady red light violation that is detected and enforced through an automated photo red light enforcement system is guilty of an infraction. A penalty imposed by an agency for a violation detected pursuant to a system shall not be deemed a moving violation and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall such imposition of a penalty be subject to merit rating for insurance purposes and no surcharge points shall be imposed in the provision of motor vehicle insurance coverage. In no case shall points be assessed against any person under section 302.302, RSMo, for a violation detected by an automated photo red light enforcement system.

7. Payment of the established fine and any applicable civil penalties shall operate as a final disposition of the case. Payment of the fine and any penalties, whether before or after hearing, by one motor vehicle owner shall be satisfaction of the fine as to all other motor vehicle owners of the same motor vehicle for the same violation.

8. In the prosecution of a steady red signal indication violation under sections 304.286 to 304.290, the agency shall have the burden of proving that the vehicle described in the notice of violation issued under this section was operated in violation of sections 304.286 to 304.290 and that the defendant was at the time of such violation the owner and the driver of such vehicle. The agency shall not enter into any plea-bargaining agreements in relation to any violation occurring under sections 304.286 to 304.290.

304.289. 1. For each automated photo red light enforcement system that is installed at an intersection by an agency, during the first thirty days the system is monitoring an intersection, the agency shall issue only warning notices and shall not issue any ticket or citation for any violation detected by the system.

2. No agency shall employ the use of a photo radar system to enforce speeding violations. As used in this subsection, the term "photo radar system" shall mean a device used primarily for highway speed limit enforcement substantially consisting of a radar unit linked to a camera, which automatically produces a photograph of a motor vehicle traveling in excess of the legal speed limit.

304.290. Photographic and other recorded evidence obtained through the use of automated photo red light enforcement devices shall be maintained according to law and shall be maintained by the appropriate agency for a period of at least three years. Such photographic and other recorded evidence obtained through the use of an automated photo red light enforcement system shall be confidential and shall not be deemed a "public record" under section 610.010, RSMo, and shall not be subject to the provisions of section 109.180, RSMo, or chapter 610, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) resumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

HCS SCS SB 384, as amended, with House Substitute Amendment No. 1 for House Amendment No. 2, and House Amendment No. 2, pending, was laid over.

HCS SCS SB 47, as amended, with House Amendment No. 1 to House Amendment No. 2, and House Amendment No. 2, pending, relating to fire protection, was again taken up by Representative Brunns.

On motion of Representative Villa, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 078

Aull	Baker 25	Baker 123	Bland	Bowman
Brandom	Bringer	Brown 30	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Daus
Dethrow	Donnelly	Dougherty	El-Amin	Emery
Flook	Frame	George	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Johnson	Jones 117	Komo	Kratky
LeVota	Lipke	Loehner	Low 39	Lowe 44
McClanahan	Meiners	Nance	Nasheed	Nolte
Oxford	Pollock	Quinn 7	Quinn 9	Robb
Robinson	Rucker	Ruestman	Scharnhorst	Schneider
Schoemehl	Shively	Skaggs	Spreng	Stevenson
Swinger	Talboy	Threlkeld	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wells	Whorton	Witte	Wood	Wright-Jones
Young	Zimmerman	Zweifel		

NOES: 077

Avery	Bearden	Bivins	Brunns	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dixon
Dusenberg	Ervin	Faith	Fallert	Fisher
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Hobbs	Icet	Jones 89	Kelly
Kingery	Kraus	Lampe	Lembke	Liese

May	McGhee	Meadows	Moore	Munzlinger
Muschany	Nieves	Norr	Onder	Page
Parson	Pearce	Portwood	Pratt	Richard
Roorda	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Tilley
Wasson	Weter	Wilson 130	Wright 159	Yaeger
Yates	Mr Speaker			

PRESENT: 003

Darrough	Fares	Wilson 119
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ABSENT WITH LEAVE: 005

Curls	Kuessner	Marsh	Storch	Wildberger
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Representative Portwood moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated.

Representative Corcoran offered **House Amendment No. 3**.

Representative Stevenson raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Roorda offered **House Amendment No. 4**.

Representative Cooper (120) raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Roorda offered **House Amendment No. 5**.

Representative Cooper (120) raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Bruns, **HCS SCS SB 47, as amended**, was adopted.

On motion of Representative Bruns, **HCS SCS SB 47, as amended**, was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Daus

Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Emery

PRESENT: 000

ABSENT WITH LEAVE: 006

Curls	Hughes	Kuessner	Marsh	Tilley
Wildberger				

Speaker Pro Tem Bearden declared the bill passed.

HCS SB 666, relating to license renewal for the military, was taken up by Representative Grill.

Representative Pearce offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 666, Section 302.171, Page 6, Line 89, by inserting immediately after the period "." the following:

"Notwithstanding any other provision of this chapter that requires an applicant to provide proof of lawful presence for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who submits a Certificate of Release or Discharge from Active Duty, DD Form 214, noting honorable discharge shall be exempt from showing proof of lawful presence. If any federal law or regulation prohibits or restricts such an exemption or would result in the loss of federal funding for this state, the director

of revenue shall apply for any federal waiver necessary to allow veterans to utilize a Certificate of Release or Discharge from Active Duty in lieu of the requirements for submission of a birth certificate.

10."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Daus offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 666, Page 5, Section 302.171, Line 86, by deleting all of said line and inserting in lieu thereof the following:

"instruction permit, or nondriver's license, an applicant who [is sixty-five years and older and who"; and

Further amend said bill, Page 6, Section 302.171, Line 96, by deleting all of said line and inserting in lieu thereof the following:

"producing proof of lawful presence] **has previously held for a period of twelve years a Missouri noncommercial driver's license, Missouri noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of lawful presence.**

10. Notwithstanding any other provision of this chapter that requires an applicant to provide proof of lawful presence for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who submits a Certificate of Release or Discharge from Active Duty, DD Form 214, noting honorable discharge shall be exempt from showing proof of lawful presence. If any federal law or regulation prohibits or restricts such an exemption or would result in the loss of federal funding for this state, the director of revenue shall apply for any federal waiver necessary to allow veterans to utilize a Certificate of Release or Discharge from Active Duty in lieu of the requirements for submission of a birth certificate."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Daus, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Guest offered **House Amendment No. 2**.

Representative Darrough raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative St. Onge offered **House Amendment No. 3**.

Representative Darrough raised a point of order that **House Amendment No. 3** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Grill, **HCS SB 666, as amended**, was adopted.

On motion of Representative Grill, **HCS SB 666, as amended**, was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Hunn 117	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talbot	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Curls	Hunter	Kuessner	Marsh	Wildberger
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Speaker Pro Tem Bearden declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENT

HB 488, with Senate Amendment No. 1, relating to a credit for idle reduction technology, was taken up by Representative Wasson.

Representative Wasson moved that the House refuse to concur in **Senate Amendment No. 1** to **HB 488** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 220**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 298**, entitled:

An act to amend chapter 319, RSMo, by adding thereto seventeen new sections relating to blasting and excavation, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 62 & 41, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 156, as amended**, and requests the House recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 416**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 82, as amended, relating to motor vehicles, was taken up by Representative Tilley.

Representative Tilley moved that the House refuse to recede from its position on **HCS SCS SB 82, as amended**, and grant the Senate a conference.

Representative Burnett made a substitute motion that the House refuse to recede from its position on **HCS SCS SB 82, as amended**, and grant the Senate a conference thereon and permit the conferees to exceed the differences to delete the salvage language from the bill.

Which motion was defeated.

Representative Tilley again moved that the House refuse to recede from its position on **HCS SCS SB 82, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 84, as amended, relating to criminal background checks for emergency child placements, was taken up by Representative Franz.

Representative Franz moved that the House refuse to recede from its position on **HCS SB 84, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 416, relating to adverse possession of lands, was taken up by Representative Pratt.

Representative Pratt moved that the House refuse to recede from its position on **HCS SB 416, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 156, as amended, relating to alternative fuels, was taken up by Representative Quinn (7).

Representative Quinn (7) moved that the House refuse to recede from its position on **HCS SCS SB 156, as amended**, and grant the Senate a conference.

Which motion was adopted.

BILL IN CONFERENCE

SS HB 665, as amended, relating to preservation of county documents, was taken up by Representative Ervin.

Representative Ervin moved that the House conferees be allowed to exceed the differences on language concerning assessors.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HCS SCS SBs 62 & 41, as amended, relating to defensive use of force and firearms, was taken up by Representative Ruestman.

Representative Ruestman moved that the House refuse to recede from its position on **HCS SCS SBs 62 & 41, as amended**, and grant the Senate a conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 22** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 112** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 530**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Energy and Environment, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **SCS SB 391**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Tilley reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 31**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Healthcare Facilities, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Facilities, to which was referred **SS SCS SB 577**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Tax Reform, Chairman Stevenson reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 1034**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SS SB 40**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, the current government of Vietnam is a nondemocratic, one-party system of government without rule of law that arbitrarily infringes upon the basic human and civil liberties of its citizens; and

WHEREAS, Vietnamese-Americans were forced to flee Vietnam in fear of the government of Vietnam's campaign of retribution and persecution after the fall of Saigon in 1975; and

WHEREAS, the State of Missouri is home to 20,000 Vietnamese-Americans and residents of Vietnamese descent who have made substantial contributions to the cultural, religious, business, and commerce of the State of Missouri; and

WHEREAS, the vast majority of Vietnamese-Americans embrace the yellow with three red stripes heritage and freedom flag as the official symbol of the Vietnamese-American community; and

WHEREAS, dating back to 1948, the yellow flag with three red stripes has a long history in Vietnam and is a broader symbol of resilience, freedom, and democracy of and for Vietnamese-Americans and free Vietnamese around the world; and

WHEREAS, Vietnamese-Americans have shown their desire that the yellow flag with three red stripes be recognized as the official flag of the Vietnamese-American community:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the State of Missouri to formally recognize the yellow with three red stripes heritage and freedom flag as the official flag of the Vietnamese-American community in this state, and permit this flag to be displayed on any state-owned property, at any state-controlled or sponsored Vietnamese-American event, or at any public function organized by the Vietnamese-American community, subject to the permit requirements of the event's locality; and

BE IT FURTHER RESOLVED that the Missouri General Assembly urges the State of Missouri to require that United States Flag etiquette and protocol be taught in fourth grade in Missouri public schools; and

BE IT FURTHER RESOLVED that the Missouri General Assembly encourages county officials and city legislators in the State of Missouri to pass resolutions recognizing the yellow with three red stripes heritage and freedom flag as the official flag of the Vietnamese-American community.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **SCS SB 75**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1108**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 85**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 130**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 226**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 299 & SS SCS SB 616**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 313**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 323**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 429**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 90 minutes for debate on Third Reading**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 482**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 510**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 543**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 664**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 671**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 41**, entitled:

An act to repeal sections 86.365, 195.503, 590.040, and 650.120, RSMo, and to enact in lieu thereof three new sections relating to law enforcement, with an emergency clause for certain sections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 41, Page 1, Section A, Line 3, by inserting after all of said line the following:

"84.120. **1.** No person shall be appointed or employed as policeman, turnkey, or officer of police who shall have been convicted of, or against whom any indictment may be pending, for any offense, the punishment of which may be confinement in the penitentiary; nor shall any person be so appointed who is not of good character, or who is not a citizen of the United States, or who is not able to read and write the English language, or who does not possess ordinary physical strength and courage. The patrolmen and turnkeys hereafter appointed shall serve while they shall faithfully perform their duties and possess mental and physical ability and be subject to removal only for cause after a hearing by the boards, who are hereby invested with the [exclusive] jurisdiction in the premises.

2. The board shall have the sole discretion whether to delegate portions of its jurisdiction to hearing officers. The board shall retain final and ultimate authority over such matters and over the person to whom the delegation may be made. In any hearing before the board under this section, the member involved may make application to the board to waive a hearing before the board and request that a hearing be held before a hearing officer.

3. Nothing in this section or chapter shall be construed to prohibit the board of police commissioners from delegating any task related to disciplinary matters, disciplinary hearings, or any other hearing or proceeding which could otherwise be heard by the board or concerning any determination related to whether an officer is able to perform the necessary functions of the position. Tasks related to the preceding matter may be delegated by the board to a hearing officer under the provisions of subsection 4 of this section.

4. (1) The hearing officer to whom a delegation has been made by the board may, at the sole discretion of the board, perform certain functions, including but not limited to the following:

(a) Presiding over a disciplinary matter from its inception through to the final hearing;

(b) Preparing a report to the board of police commissioners; and
 (c) Making recommendations to the board of police commissioners as to the allegations and the appropriateness of the recommended discipline.

(2) The board shall promulgate rules, which may be changed from time to time as determined by the board, and shall make such rules known to the hearing officer or others.

(3) The board shall at all times retain the authority to render the final decision after a review of the relevant documents, evidence, transcripts, videotaped testimony, or report prepared by the hearing officer.

5. Hearing officers shall be selected in the following manner:

(1) The board shall establish a panel of not less than five persons, all who are to be licensed attorneys in good standing with the Missouri Bar. The composition of the panel may change from time to time at the board's discretion;

(2) From the panel, the relevant member or officer and a police department representative shall alternatively and independently strike names from the list with the last remaining name being the designated hearing officer. The board shall establish a process to be utilized for each hearing which will determine which party makes the first strike and the process may change from time to time;

(3) After the hearing officer is chosen and presides over a matter, such hearing officer shall become ineligible until all hearing officers listed have been utilized, at which time the list shall renew, subject to officers' availability.

84.170. 1. When any vacancy shall take place in any grade of officers, it shall be filled from the next lowest grade; provided, however, that probationary patrolmen shall serve at least six months as such before being promoted to the rank of patrolman; patrolmen shall serve at least three years as such before being promoted to the rank of sergeant; sergeants shall serve at least one year as such before being promoted to the rank of lieutenant; lieutenants shall serve at least one year as such before being promoted to the rank of captain; and in no case shall the chief or assistant chief be selected from men not members of the force or below the grade of captain. Patrolmen shall serve at least three years as such before promotion to the rank of detective; the inspector shall be taken from men in the rank not below the grade of lieutenant.

2. The boards of police are hereby authorized to make all such rules and regulations, not inconsistent with sections 84.010 to 84.340, or other laws of the state, as they may judge necessary, for the appointment, employment, uniforming, discipline, trial and government of the police. The said boards shall also have power to require of any officer or policeman bond with sureties when they may consider it demanded by the public interests. All lawful rules and regulations of the board shall be obeyed by the police force on pain of dismissal or such lighter punishment, either by suspension, fine, reduction or forfeiture of pay, or otherwise as the boards may adjudge.

3. **The authority possessed by the board of police includes, but is not limited to, the authority to delegate portions of its powers authorized in section 84.120, including presiding over a disciplinary hearing, to a hearing officer as determined by the board.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 41, Page 1, Section A, Line 3, by inserting immediately after all of said line the following:

"43.030. 1. The superintendent of the Missouri state highway patrol shall be appointed **from the uniformed membership of the patrol** by the governor by and with the advice and consent of the senate. The superintendent shall hold office at the pleasure of the governor. The superintendent shall be a citizen of the United States and a resident taxpaying citizen of this state for a period of three years previous to being appointed as superintendent and shall be at least thirty years of age. The superintendent shall maintain an office [and reside] in Jefferson City.

2. The superintendent of the Missouri state highway patrol shall:

(1) Have command of the patrol and perform all duties imposed on the superintendent and exercise all of the powers and authority conferred upon the superintendent by the provisions of this chapter and the requirements of chapter 650, RSMo;

(2) Within available appropriations, establish an equitable pay plan for the members of the highway patrol and radio personnel taking into consideration ranks and length of service.

43.050. 1. The superintendent may appoint not more than twenty-five captains and one director of radio, each of whom shall have the same qualifications as the superintendent, nor more than sixty lieutenants, and such additional force of sergeants, corporals and patrolmen, so that the total number of members of the patrol shall not exceed nine hundred sixty-five officers and patrolmen and such numbers of radio personnel as the superintendent deems necessary.

2. In case of a national emergency the superintendent may name additional patrolmen and radio personnel in a number sufficient to replace, temporarily, patrolmen and radio personnel called into military services.

3. **The superintendent may enter into an agreement with the Missouri gaming commission to enforce any law, rule, or regulation, conduct background investigations under the laws of this state, and enforce the regulations of licensed gaming activities governed by chapter 313, RSMo. A notice of either party to terminate or modify the provisions of such agreement shall be in writing and executed not less than one year from the effective date of the termination or modification, unless mutually agreed upon by the superintendent and the Missouri gaming commission.** Members of the patrol hired in conjunction with any agreement with the Missouri gaming commission shall not be subject to the personnel cap referenced in subsection 1 of this section. If such agreement is subsequently terminated or modified to reduce the number of personnel used in such agreement, those members affected by such termination or modification shall not be subject to the personnel cap referenced in subsection 1 of this section for a period of [three] **five** years.

4. [Members] **Member positions** of the patrol [hired] **originally acquired** in conjunction with the community-oriented policing services federal grant or members assigned to fulfill the duties established in sections 43.350 to 43.380 shall not be subject to the personnel cap referenced in subsection 1 of this section.

5. Applicants shall not be discriminated against because of race, creed, color, national origin or sex.

43.090. [The board of public buildings shall provide suitable offices for general headquarters at Jefferson City, Missouri, which shall at all times be open and in charge of the superintendent, or some member of the patrol designated by him.] The superintendent[, with the consent and approval of the commission,] shall employ such clerical force, radio operators, and other subordinates, and shall provide such office equipment, stationery, postage supplies, [telegraph] **communication** and telephone facilities as he **or she** shall deem necessary **for general headquarters located at Jefferson City, Missouri**, and shall also provide offices, equipment, stationery, postage, clerical force, **communication, telephone**, and other subordinates for the headquarters of each [district] **troop or division** of the patrol. The state highway patrol [radio network] **communications division** shall be under the control of and at the service of the superintendent for such regular and emergency [bulletins] **communications**, and service as the superintendent may require [from time to time].

43.220. Neither the governor[, the commission,] nor the superintendent shall have any power, right or authority to command, order or direct any member of the patrol to perform any duty or service not authorized [by this chapter] **under state statute**.

43.530. **1.** For each request requiring the payment of a fee received by the central repository, the requesting entity shall pay a fee of not more than [five] **nine** dollars per request for criminal history record information not based on a fingerprint search [when the requesting entity is required to obtain such information by any provision of state or federal law and pay a fee of not more than fourteen dollars per request for criminal history record information based on a fingerprint search when the requesting entity is required to obtain such information by any provision of state or federal law; provided that, when the requesting entity is not required to obtain such information by law, the requesting entity shall pay a fee of not more than ten dollars per request for criminal history record information not based on a fingerprint search and] . **In each year beginning on or after January 1, 2010, the superintendent may increase the fee paid by requesting entities by an amount not to exceed one dollar per year, however, under no circumstance shall the fee paid by requesting entities exceed fifteen dollars per request.**

2. For each request requiring the payment of a fee received by the central repository, the requesting entity shall pay a fee of not more than twenty dollars per request for criminal history record information based on a fingerprint search[. Each such] , **unless the request is required under the provisions of subdivision (6) of section 210.481, RSMo, section 210.487, RSMo, or section 571.101, RSMo, in which case, the fee shall be fourteen dollars.**

3. A request **made under subsections 1 and 2 of this section** shall be limited to check and search on one individual. Each request shall be accompanied by a check, warrant, voucher, money order, or electronic payment payable to the state of Missouri-criminal record system or payment shall be made in a manner approved by the highway patrol. The highway patrol may establish procedures for receiving requests for criminal history record information for classification and search for fingerprints, from courts and other entities, and for the payment of such requests. There is hereby established by the treasurer of the state of Missouri a fund to be entitled as the "Criminal Record System Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, if the moneys collected and deposited into this fund are not totally expended annually for the purposes set forth in sections 43.500 to 43.543, the unexpended moneys in such fund shall remain in the fund and the balance shall be kept in the fund to accumulate from year to year.

43.546. 1. Any state agency, board, or commission may require the fingerprinting of applicants in specified occupations or appointments within the state agency, board, or commission for the purpose of positive identification and receiving criminal history record information when determining an applicant's ability or fitness to serve in such occupation or appointment.

2. In order to facilitate the criminal background check under subsection 1 of this section on any person employed or appointed by a state agency, board, or commission, and in accordance with section 43.543, the applicant or employee shall submit a set of fingerprints collected under the standards determined by the Missouri highway patrol. The fingerprints and accompanying fees, unless otherwise arranged, shall be forwarded to the highway patrol to be used to search the state criminal history repository and the fingerprints shall be forwarded to the Federal Bureau of Investigations for a national criminal background check. Notwithstanding the provisions of section 610.120, RSMo, all records related to any criminal history information discovered shall be accessible and available to the state agency making the request.

43.547. 1. The Missouri state highway patrol, at the direction of the governor, shall conduct name or fingerprint background investigations of gubernatorial appointees. The governor's directive shall state whether the background investigation shall be a name background investigation or a fingerprint background investigation. In addition, the patrol may, at the governor's direction, conduct other appropriate investigations to determine if an applicant or appointee is in compliance with section 105.262, RSMo, and other necessary inquiries to determine the person's suitability for positions of public trust.

2. In order to facilitate the fingerprint background investigation under subsection 1 of this section, and in accordance with the provisions of section 43.543, the appointee shall submit a set of fingerprints collected under the standards determined by the Missouri highway patrol. The fingerprints and accompanying fees, unless otherwise arranged, shall be forwarded to the highway patrol to be used to search the state criminal history repository and the fingerprints shall be forwarded to the Federal Bureau of Investigations for a national criminal background check. Any background investigation conducted at the direction of the governor under subsection 1 of this section may include criminal history record information and other source information obtained by the highway patrol."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 134**, entitled:

An act to repeal section 172.287, RSMo, and to enact in lieu thereof one new section relating to equipment grants for engineering programs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 221**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 255**, entitled:

An act to repeal sections 3.070, 8.110, 8.120, 8.180, 8.200, 8.250, 8.255, 8.260, 8.291, 8.294, 8.310, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 26.220, 26.225, 27.095, 27.100, 28.305, 28.310, 29.405, 29.410, 30.505, 30.510, 33.710, 34.010, 34.031, 34.032, 34.040, 34.042, 34.044, 34.065, 34.130, 37.005, 37.010, 37.452, 44.237, 217.575, 251.240, 253.320, 253.510, 261.010, 311.650, 313.210, 320.260, 334.125, 361.010, and 630.525, RSMo, and to enact in lieu thereof fifty-four new sections relating to the office of administration, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 255, Page 16, Section 26.225, Line 8, by inserting after all of said line the following:

"4. Under no circumstances shall more than one transition office be established under the provisions of this section."; and

Further amend said bill, Page 17, Section 27.100, Line 7, by inserting after all of said line the following:

"4. Under no circumstances shall more than one transition office be established under the provisions of this section."; and

Further amend said bill, Page 18, Section 28.310, Line 6, by inserting after all of said line the following:

"4. Under no circumstances shall more than one transition office be established under the provisions of this section."; and

Further amend said bill, Page 19, Section 29.410, Line 5, by inserting after all of said line the following:

"4. Under no circumstances shall more than one transition office be established under the provisions of this section."; and

Further amend said bill, Page 20, Section 30.510, Line 4, by inserting after all of said line the following:

"4. Under no circumstances shall more than one transition office be established under the provisions of this section.".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 255, Page 53, Section 261.010, Line 24 of said page, by inserting after all of said line the following:

"285.025. 1. The state of Missouri hereby proclaims that no employer who employs illegal aliens shall be eligible for any state-administered or subsidized tax credit, tax abatement or loan from this state, **and that no one shall employ or subcontract with any illegal alien on any publicly financed project.** The director of each agency administering or subsidizing a tax credit, tax abatement or loan pursuant to chapter 32, 100, 135, 253, 447 or 620, RSMo, shall place in such agency's criteria for eligibility for such credit, abatement, exemption or loan a signed statement of affirmation by the applicant that such applicant employs no illegal aliens. Any individual, individual proprietorship, corporation, partnership, firm or association that is found by the director of the agency administering the program to have negligently employed an illegal alien in this state shall be ineligible for any state-administered or subsidized tax credit,

tax abatement or loan pursuant to chapter 32, 100, 135, 253, 447 or 620, RSMo, for five years following such determination; provided, however, that the director of the agency administering such credit, abatement, exemption or loan may, in the director's discretion, elect not to apply such administrative action for a first-time occurrence. Any person, corporation, partnership or other legal entity that is found to be ineligible for a state-administered or subsidized tax credit, tax abatement, or loan pursuant to this subsection may make an appeal with the administrative hearing commission pursuant to the provisions of chapter 621, RSMo. "Negligent", for the purposes of this subsection means that a person has failed to take the steps necessary to comply with the requirements of 8 U.S.C. 1324a with respect to the examination of an appropriate document or documents to verify whether the individual is an unauthorized alien.

2. Beginning August 28, 1999, any individual, individual proprietorship, corporation, partnership, firm or association that knowingly accepts any state-administered or subsidized tax credit, tax abatement or loan in violation of subsection 1 of this section shall upon conviction be guilty of a class A misdemeanor, and such action may be brought by the attorney general in Cole County circuit court. **Beginning August 28, 2007, in addition to all other penalties in this section, violators of this section shall be fined ten dollars per individual illegal alien per day during which each individual illegal alien was employed or subcontracted with, and the violator shall not be eligible to bid on any publicly financed project submitted for bids for the five years immediately following the last violation.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 255, Page 55, Section 630.525, Line 18 of said page, by inserting after all of said line the following:

"Section 1. There is hereby established in the state treasury the "Pharmacy Rebate Fund", and the "MoRx Pharmacy Rebate Fund". Any revenues received by the state, either directly or indirectly, from pharmaceutical manufacturer rebates as required by federal law or state supplemental rebates as defined in state plan amendments shall be deposited in the pharmacy rebate fund and shall be used only in the Medicaid pharmacy program or its successor programs authorized by Title XIX, Public Law 89-87, 1965 amendments to the federal Social Security Act, 42 U.S.C. Section 301, et seq. Any state rebates obtained in conjunction with the MoRx program shall be deposited in the MoRx pharmacy rebate fund and shall only be used for the MoRx pharmacy program."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 255, Page 55, Section 630.525, Line 7, by inserting immediately before said section:

"414.410. 1. The director shall develop a motor vehicle alternative fuel use plan. The director shall cooperate with state agency fleet operators, vehicle manufacturers and converters, fuel distributors and others to identify the types of vehicles which could be converted to **use** alternative fuels. The director shall consider range, specialty uses, fuel availability, vehicle cost, vehicle manufacturing and conversion capability, safety, resale values, and other relevant factors.

2. The department shall recommend alternative fuels which state agencies and state universities may consider when purchasing vehicles. The department shall consider the content of vehicle exhaust emissions, the relative efficiency of the fuel, the relative efficiency of the processes required to produce the fuel and the characteristics of air emissions associated with the production of that fuel. It shall recommend for state use those alternative fuels which best satisfy the goals of energy conservation and emissions reduction.

3. **At least seventy percent of vehicle fleet acquisitions by** any state agency which operates a fleet of more than fifteen motor vehicles shall **be** [acquire vehicles] capable of using alternative fuels [as follows:

- (1) At least ten percent of the agency's fleet vehicles acquired between July 1, 1994, and July 1, 1996;
- (2) At least thirty percent of the agency's fleet vehicles acquired between July 1, 1996, and July 1, 1998; and

(3) At least fifty percent of the agency's fleet vehicles acquired between July 1, 1998, and July 1, 2000, and each biennial period thereafter.

If a state agency exceeds any such biennial acquisition goal, or has purchased vehicles capable of using alternative fuels before July 1, 1994, such purchases may be credited to any future biennial acquisition goal.] If a state agency has purchased vehicles capable of using alternative fuels but not included in their vehicle fleet as defined in subsection 1 of section 414.400, such purchases may be credited toward any [biennial] acquisition goal. If a state agency fails to meet **its** [a biennial] acquisition goal, the commissioner of administration shall not authorize for such agency the purchase of any vehicle not capable of using alternative fuels until such acquisition goal is met, unless the director has reduced or waived the acquisition goal pursuant to subsection 1 of section 414.412."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 272**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172**, entitled:

An act to repeal sections 143.121, 143.124, and 143.431, RSMo, and to enact in lieu thereof five new sections relating to income taxation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 461**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 744**, entitled:

An act to repeal sections 43.010, 43.030, 43.050, 43.090, 43.110, 43.120, 43.140, 43.210, 43.220, 43.530, 226.527, 226.530, 226.580, 227.107, 238.202, 238.207, 238.208, 238.210, 238.225, 238.230, 238.275, 301.010, 301.030, 301.130, 301.131, 301.140, 301.142, 301.144, 301.150, 301.170, 301.177, 301.200, 301.218, 301.221, 301.225, 301.229, 301.280, 301.301, 301.310, 301.420, 301.440, 301.444, 301.550, 301.560, 301.567, 301.570, 301.640, 301.716, 302.010, 302.272, 302.275, 302.321, 302.545, 302.700, 302.720, 302.755, 302.775, 303.415, 304.015, 304.022, 304.070, 304.170, 304.180, 304.230, 304.281, 306.015, 306.016, 306.535, 307.010, 307.015, 307.090, 307.100, 307.120, 307.125, 307.155, 307.172, 307.173, 307.179, 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 311.326, 390.030, 390.071, 390.136, 407.815, 556.021, 577.029, 577.039, and 622.095, RSMo, and section 301.190 as enacted by house committee substitute for senate substitute no. 2 for senate committee substitute for senate bill no. 583, ninety-third general assembly, second regular session, section 301.190 as enacted by senate substitute for senate committee substitute for house bill no. 487 merged with senate bill no. 488, ninety-third general assembly, first regular session, section 301.566 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1288, ninety-second general assembly, second regular session, and section 301.566 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, and to enact in lieu thereof one hundred twenty-three new sections relating to transportation, with penalty provisions, an effective date for certain sections, and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14 and Senate Amendment No. 15.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 744, Page 58, Section 301.010, Line 15 of said page, by inserting after all of said line the following:

"301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

- (1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;
- (2) The name, the applicant's identification number and address of the owner of such motor vehicle or trailer;
- (3) The gross weight of the vehicle and the desired load in pounds if the vehicle is a commercial motor vehicle or trailer.

2. If the vehicle is a motor vehicle primarily for business use as defined in section 301.010 and if such vehicle is five years of age or less, the director of revenue shall [retain] **obtain** the odometer information [provided in the vehicle inspection report] **in a manner prescribed by rule**, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This section shall not apply unless:

- (1) The application for the vehicle's certificate of ownership was submitted after July 1, 1989; and
- (2) The certificate was issued pursuant to a manufacturer's statement of origin.

3. If the vehicle is any motor vehicle other than a motor vehicle primarily for business use, a recreational motor vehicle, motorcycle, motortricycle, bus or any commercial motor vehicle licensed for over twelve thousand pounds and if such motor vehicle is five years of age or less, the director of revenue shall [retain] **obtain** the odometer information [provided in the vehicle inspection report] **in a manner prescribed by rule**, and provide for prompt access to such information, together with the vehicle identification number for the motor vehicle to which such information pertains, for a period of five years after the receipt of such information. This subsection shall not apply unless:

- (1) The application for the vehicle's certificate of ownership was submitted after July 1, 1990; and
- (2) The certificate was issued pursuant to a manufacturer's statement of origin.

4. If the vehicle qualifies as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as defined in section 301.010, or prior salvage as referenced in section 301.573, the owner or lienholder shall surrender the certificate of ownership. The owner shall make an application for a new certificate of ownership, pay the required title fee, and obtain the vehicle examination certificate required pursuant to subsection 9 of section 301.190. If an insurance company which pays a claim on a salvage vehicle as defined in section 301.010 and the insured is retaining ownership of the vehicle, as prior salvage, the vehicle shall only be required to meet the examination requirements under and pursuant to subsection 10 of section 301.190. Notarized bills of sale along with a copy of the front and back of the certificate of ownership for all major component parts installed on the vehicle and invoices for all essential parts which are not defined as major component parts shall accompany the application for a new certificate of ownership. If the vehicle is a specially constructed motor vehicle, as defined in section 301.010, two pictures of the vehicle shall be submitted with the application. If the vehicle is a kit vehicle, the applicant shall submit the invoice and the manufacturer's statement of origin on the kit. If the vehicle requires the issuance of a special number by the director of revenue or a replacement vehicle identification number, the applicant shall submit the required application and application fee. All applications required under this subsection shall be submitted with any applicable taxes which may be due on the purchase of the vehicle or parts. The director of revenue shall appropriately designate "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed Motor Vehicle" on the current and all subsequent issues of the certificate of ownership of such vehicle.

5. Every insurance company which pays a claim for repair of a motor vehicle which as the result of such repairs becomes a reconstructed motor vehicle as defined in section 301.010 or which pays a claim on a salvage vehicle as defined in section 301.010 and the insured is retaining ownership of the vehicle, shall in writing notify the claimant, if he is the owner of the vehicle, and the lienholder if a lien is in effect, that he is required to surrender the certificate of ownership, and the documents and fees required pursuant to subsection 4 of this section to obtain a prior salvage motor vehicle certificate of ownership or documents and fees as otherwise required by law to obtain a salvage certificate of ownership, from the director of revenue. The insurance company shall within thirty days of the payment of such claims report to the director of revenue the name and address of such claimant, the year, make, model, vehicle identification number, and license plate number of the vehicle, and the date of loss and payment.

6. Anyone who fails to comply with the requirements of this section shall be guilty of a class B misdemeanor.

7. An applicant for registration may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 192.935, RSMo. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 192.935, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

8. An applicant for registration may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund as established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for registration at the time of issuance or renewal. The director shall inquire of each applicant at the time the applicant presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection."; and

Further amend said bill, Page 88, Section 301.144, Line 28 of said page, by inserting after all of said line the following:

"301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, **and proof of [a] any applicable motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026, RSMo. If a motor vehicle owner is exempt from submitting proof of a motor vehicle safety inspection under the provisions of section 307.357, RSMo, then the motor vehicle owner shall submit an affidavit stating that the motor vehicle has fewer than one hundred thousand miles.**

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period."; and

Further amend said bill, Page 229, Section 307.173, Line 4 of said page, by inserting after all of said line the following:

"307.178. 1. As used in this section, the term "passenger car" means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term "passenger car" shall not include motorcycles, motorized bicycles, **or** motor tricycles[, and trucks with a licensed gross weight of twelve thousand pounds or more].

2. Each driver[, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles,] and [front seat] passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons [less than eighteen years of age] operating or riding in a truck, as defined in section 301.010, RSMo, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements. [No person shall be stopped, inspected, or detained solely to determine compliance with this subsection.] The provisions of this section and section 307.179 shall not be applicable to [persons] **any person who [have] possesses documentation from a physician that such person has a medical reason for failing to have a seat belt fastened about their body[, nor shall]. No person shall be found guilty of violating this section or section 307.179 if such person demonstrates that he or she has a medical reason for failing to have a seat belt fastened about their body.** The provisions of this section **shall not** be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law. The provisions of this subsection shall not apply to the transporting of children under sixteen years of age, as provided in section 307.179. **Persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles are exempt from the provisions of this subsection.**

3. Each driver of a motor vehicle transporting a child less than sixteen years of age shall secure the child in a properly adjusted and fastened restraint under section 307.179.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Except as otherwise provided for in section 307.179, each person who violates the provisions of subsection 2 of this section is guilty of an infraction for which a fine not to exceed ten dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, RSMo, for a violation of this section.

6. The state highways and transportation commission shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The commission shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the passengers who are unable to wear seat belts **because all existing seat belts are in use** shall sit [in the area] **on the seats** behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front-seated area. The passenger or passengers occupying a seat location referred to in this subsection is not in violation of this section. This subsection shall

not apply to passengers who are accompanying a driver of a motor vehicle who is licensed under section 302.178, RSMo."; and

Further amend said bill, Page 232, Section 307.198, Line 24 of said page, by inserting after all of said line the following:

"307.357. 1. Notwithstanding sections 307.350 to 307.390, a motor vehicle owner may renew or reregister the registration plates on a motor vehicle that is otherwise required to be inspected if such vehicle has fewer than one hundred thousand miles, as evidenced by the odometer, without submitting such vehicle to a biennial motor vehicle safety inspection.

2. In order to qualify for the exemption set forth in subsection 1 of this section, the owner of such a vehicle shall submit to the director an affidavit, sworn to under the penalty of perjury, stating that the motor vehicle has fewer than one hundred thousand miles.

3. The provisions of this section shall not exempt a person from submitting such a motor vehicle to a motor vehicle safety inspection for purposes of initially registering and titling such a vehicle, transferring ownership, or when a motor vehicle safety inspection is otherwise required by law."; and

Further amend said bill, Page 275, Section 577.039, Line 15 of said page, by inserting after all of said line the following:

"643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program pursuant to sections 643.300 to 643.355 shall be inspected and approved prior to sale or transfer; provided that, if such vehicle is inspected and approved prior to sale or transfer, such vehicle shall not be subject to another emissions inspection for ninety days after the date of sale or transfer of such vehicle. In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established pursuant to sections 643.300 to 643.355 in each odd-numbered calendar year. All motor vehicles subject to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle. The department of revenue shall require evidence of **[the]any applicable motor vehicle safety inspection** and emission inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by sections 307.350 to 307.390, RSMo, and sections 643.300 to 643.355. The director of revenue may verify that a successful safety and emissions inspection was completed via electronic means.

2. The inspection requirement of subsection 1 of this section shall apply to all motor vehicles except:

(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;

(2) Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

(3) Model year vehicles manufactured prior to 1996;

(4) Vehicles which are powered exclusively by electric or hydrogen power or by fuels other than gasoline which are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

(5) Motor vehicles registered in an area subject to the inspection requirements of sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle presents to the department an affidavit that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a waiver which shall be presented at the time of registration or registration renewal;

(6) New and unused motor vehicles, of model years of the current calendar year and of any calendar year within two years of such calendar year, which have an odometer reading of less than six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user;

(7) Historic motor vehicles registered pursuant to section 301.131, RSMo;
 (8) School buses;
 (9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating in excess of eight thousand five hundred pounds;

(10) New motor vehicles that have not been previously titled and registered, for the four-year period following their model year of manufacture[, provided the odometer reading for such motor vehicles are under forty thousand miles at their first required biennial safety inspection conducted under sections 307.350 to 307.390, RSMo; otherwise such motor vehicles shall be subject to the emissions inspection requirements of subsection 1 of this section during the same period that the biennial safety inspection is conducted]; and

(11) Motor vehicles that are driven fewer than twelve thousand miles [between biennial safety inspections] **on a biennial basis.**

3. The commission may, by rule, allow inspection reciprocity with other states having equivalent or more stringent testing and waiver requirements than those established pursuant to sections 643.300 to 643.355.

4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.550, RSMo, may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300 to 643.355 either:

- (a) With prior inspection and approval as provided in subdivision (2) of this subsection; or
- (b) Without prior inspection and approval as provided in subdivision (3) of this subsection.

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established pursuant to sections 643.300 to 643.355 or by obtaining a waiver pursuant to section 643.335. A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer shall be inspected and approved within the one hundred twenty days immediately preceding the date of sale, and, for the purpose of registration of such vehicle, such inspection shall be considered timely.

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within ten days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within ten days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or enter into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be an unlawful practice as defined in section 407.020, RSMo. No emissions inspection shall be required pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided pursuant to subsection 2 of section 307.380, RSMo."; and

Further amend said bill, Page 280, Section D, Line 4 of said page, by inserting after all of said line the following:

"Section E. The enactment of section 307.357 and the repeal and reenactment of sections 301.020, 301.147, 307.350, and 643.315 shall become effective January 1, 2008."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for House Bill No. 744, Page 111, Section 301.280, Line 5, by striking the opening bracket "["; and

Further amend said bill, Page 111, Section 301.280, Line 6, by striking the following:

"**] may**"; and

Further amend said bill, Page 111, Section 301.280, Line 11, by striking the opening bracket "["; and

Further amend said bill, Page 111, Section 301.280, Line 14, by striking the closing bracket "]".

Senate Amendment No. 4

AMEND Senate Substitute for House Bill No. 744, Page 61, Section 301.037, Lines 9-24 of said page, by striking all of said section from the bill; and

Further amend said bill, Page 266, Section 390.030, Line 10 of said page, by inserting an opening bracket "[" immediately before the word "and" at the beginning of said line; and

Further amend Line 11 of said page, by inserting a closing bracket "]" after "vehicles,"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for House Bill No. 744, Page 61, Section 301.037, Line 24 of said page, by inserting immediately after said line the following:

"301.040. The director of revenue shall notify each registered motor vehicle owner by mail, at the last known address, within an appropriate period prior to the beginning of the registration period to which he has been assigned, of the date for reregistration. Such notice shall include an application blank for registration and shall specify the amount of license fees due and the registration period covered by such license. **No commercial inserts or other forms of advertising shall accompany the notice.** Application blanks shall also be furnished all branch offices of the department of revenue and license fee offices designated by the director of revenue under the provisions of section 136.055, RSMo, where they shall be made available to any person upon request. Failure of the owner to receive such notice shall not relieve the owner of the requirement to register pursuant to this chapter."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Bill No. 744, Page 73, Section 301.140, Lines 17-18 of said page, by striking the following:

"No refunds shall be made on the unused portion of any license plates surrendered for such credit."; and inserting in lieu thereof the following:

"If a motor vehicle is sold and is not being replaced, then any unused portion of the original registration fee, provided such unused portion is in an amount of five dollars or greater, may be refunded upon surrender of the license plates. Such refund shall be granted based upon the date the license plates are surrendered."

Senate Amendment No. 7

AMEND Senate Substitute for House Bill No. 744, Page 260, Section 387.075, Line 26, by inserting after all of said line the following:

"388.700. Sections 388.700 to 388.745 shall be known as "The Regional Railroad Authorities Act." As used in sections 388.700 to 388.745, unless the context clearly requires otherwise, the following words and terms shall mean:

(1) "Authority", "railroad authority", or "regional railroad authority", a regional railroad authority organized and operated as a political subdivision under sections 388.700 to 388.745;

- (2) "Common carrier", a railroad engaged in transportation for hire;
- (3) "Commissioners", the commissioners of the regional railroad authority;
- (4) "Project", any railroad facilities proposed to be acquired, constructed, improved, or refinanced by an authority, including any real or personal property, structures, machinery, equipment, and appurtenances determined by the authority to be useful or convenient for railroad operations and handling passengers or freight;
- (5) "Railroad", any form of nonhighway ground transportation that runs on rails or electromagnetic guideways. The term "railroad" shall also have the meaning associated to it in 49 U.S.C. Section 20102, as amended;
- (6) "Railroad properties and facilities", any real or personal property or interest in such property which is owned, leased or otherwise controlled by a railroad or other person, including an authority, and which are used or are useful in rail transportation service, including:
 - (a) Track, roadbed and related structures, including rail, ties, ballast, other track materials, grading, tunnels, bridges, tressels, culverts, elevated structures, stations, office buildings used for operating purposes only, repair shops, engine houses and public improvements used or usable for rail service operation;
 - (b) Communication and power transmission systems for use by railroads;
 - (c) Signals, including signals and interlockers;
 - (d) Terminal or yard facilities and services to express company and railroads and their shippers, including ferries, tugs, car floats and related shoreside facilities designed for the transportation of equipment by water;
 - (e) Shop or repair facilities or any other property used or capable of being used in rail freight transportation services or in connection with such services or for originating, terminating, improving and expediting the movement of equipment or goods;
- (6) "Real property", lands, structures, improvements thereof, and water and riparian rights, and any and all interests and estates therein, legal or equitable, including but not limited to easements, rights-of-way, uses, leases, and licenses.

388.703. The purpose of an authority established and operated under sections 388.700 to 388.745 is to provide for the preservation, improvement, and the continuation of rail service for agriculture, industry, or passenger traffic and to provide for the preservation of railroad right-of-way for transportation uses, when determined to be practicable and necessary for the public welfare. The acquisition of real property under sections 388.700 to 388.745; the planning, acquisition, establishment, construction, improvement, maintenance, equipment, operation, regulation, and protection of authority facilities; and the exercise of powers granted to authorities and other public agencies to be severally or jointly exercised are public and governmental functions, exercised for public purpose, and matters of public necessity. All real property and other property acquired and used by or on behalf of an authority or other public agency, as provided in sections 388.700 to 388.745, shall be used for public and governmental purposes and as a matter of public necessity.

388.706. 1. Every municipality or county within this state is authorized to form a regional railroad authority under the provisions of this section.

2. A regional railroad authority may be organized by resolution or joint resolution adopted by the governing body or bodies of one or more counties. The governing body or bodies of a municipality or municipalities within a county or counties may request by resolution that the county or counties organize a railroad authority. If the county or counties do not organize an authority within ninety days of receipt of the request, the municipality or municipalities may organize an authority by resolution or joint resolution. A resolution organizing an authority shall state:

- (1) That the authority is organized under the provisions of sections 388.700 to 388.745 as a political subdivision of Missouri;
- (2) The proposed name of the authority, including the words "regional railroad authority";
- (3) The county, counties, municipality or municipalities adopting the organization resolution;
- (4) The number of commissioners of the authority, not less than five; the number to be appointed by the governing body of each county or municipality; and the names and addresses of the board of commissioners;
- (5) The city and county in which the registered office of the authority is to be situated;
- (6) That neither the state of Missouri, the municipality or municipalities, nor any other political subdivision is liable for obligations of the authority; and

(7) Any other provision for regulating the business of the authority determined by the governing body or bodies adopting the resolution.

388.709. Before final adoption of an organization resolution, the governing body of each county or municipality named in it shall provide for a public hearing upon notice published in a newspaper of general circulation in the county or municipality. The notice of a hearing by the governing body of a county shall be mailed to the governing body of each municipality in the county, except municipalities participating in the organization, at least thirty days before the hearing. The hearing may be adjourned from time to time, to a time and place publicly announced at the hearing, or to a time and place fixed by notice published in a newspaper of general circulation in the county or municipality at least ten days before the adjourned session. Joint hearing sessions may be held by the governing bodies of all counties or municipalities named, at any convenient public place within any of the counties or municipalities. The resolution may be amended by the governing body or bodies at or after any hearing session at which the amended resolution is proposed and made available to interested citizens. It shall not become effective until adopted in identical form by the governing bodies of all counties or municipalities named in the resolution.

388.712. Upon the appointment and qualification of the commissioners first appointed to a regional railroad authority under section 388.715, the commissioners shall submit to the secretary of state a certified copy of each resolution adopted pursuant to section 388.706. A copy of the organization resolution, certified by the recording officer of each municipality or county adopting it, shall be filed with the secretary of state, who shall issue a certificate of incorporation if the resolution conforms to the requirements of this section, stating in the certificate the name of the authority and the date of its incorporation, which shall be the date of acceptance for filing. The certificate of incorporation shall be conclusive evidence of the valid organization and existence of the authority.

388.715. 1. All powers granted to an authority shall be exercised by its board of commissioners. Commissioners shall be appointed and vacancies in their office shall be filled by the governing body of each county or municipality named in the organization resolution, in accordance with the provisions of that resolution. The term of each commissioner shall be one year, or the remainder of the one year term for which a vacancy is filled, and until a successor is appointed. Commissioners shall receive no compensation for services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

2. The board of commissioners shall by resolution establish the time and place or places of its regular meetings and the method and notice required for calling special meetings, all of which shall be open to the public. A majority of the commissioners being present at a meeting, any action may be taken by resolution or motion adopted by recorded vote of a majority of those present, unless a larger majority is required by bylaws adopted by the board.

3. The board of commissioners shall appoint a chair, vice-chair, secretary, and treasurer from its members, each to serve for a term of one year and until a successor is appointed. The offices of secretary and treasurer may be combined, and deputies or assistants may be appointed for either office or the combined office, from members of the board or otherwise. The powers and duties of each office shall be determined by the board, which shall require and pay for a surety bond for each officer handling funds. The board shall provide for the keeping of a full and accurate record of all proceedings and of resolutions, regulations, and orders issued or adopted. The state auditor shall annually audit the books of said regional railroad authority.

388.718. An authority may exercise all the powers necessary or desirable to implement the powers specifically granted in sections 388.700 to 388.745, and in exercising the powers is deemed to be performing an essential governmental as a political subdivision of the state. Without limiting the generality of the foregoing, the authority may:

- (1) Sue and be sued, have a seal, and have perpetual succession;
- (2) Execute contracts and other instruments and take other action as may be necessary to carry out the purposes of sections 388.700 to 388.745;
- (3) Receive and disburse federal, state, and other funds, public or private, made available by grant, loan, contribution, tax levy, or other source to accomplish the purposes of sections 388.700 to 388.745. Federal money accepted under this section shall be accepted and spent by the authority upon terms and conditions prescribed

by the United States and consistent with state law. All state money accepted under this section shall be accepted and spent by the authority upon terms and conditions prescribed by the state.

(4) Sell, lease, or otherwise dispose of real or personal property acquired under sections 388.700 to 388.745. The disposal must be in accordance with the laws of this state governing the disposition of other public property.

388.721. 1. The authority may plan, establish, acquire, develop, construct, purchase, enlarge, extend, improve, maintain, equip, operate, regulate, and protect railroads, railroad properties and railroad facilities within its boundaries, including but not limited to terminal buildings, roadways, crossings, bridges, causeways, tunnels, equipment, and rolling stock.

2. The authority may apply to any public agency for permits, consents, authorizations, and approvals required for any project and take all actions necessary to comply with their conditions.

388.724. The authority may exercise the power of eminent domain under chapter 523, RSMo, except that it shall have no power of eminent domain with respect to property owned by another authority or political subdivision of Missouri or any other state, or with respect to property owned or used by a railroad corporation unless the federal Surface Transportation Board or a successor agency, if any, or another authority with power to make the finding, has found that the public convenience and necessity permit discontinuance of rail service on the property. All property taken for the exercise of the powers granted herein is declared to be taken for a public governmental purpose and as a matter of public necessity.

388.727. The state of Missouri and any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to any regional railroad authority or may place in its possession or control, by lease or other contract or agreement, either for a limited period or in fee, any property within a regional railroad authority district or any property wherever situated. Nothing in this section, however, shall in any way impair, alter or change any obligations, contractual or otherwise, heretofore entered into by said entities.

388.730. The authority may establish charges and rentals for the use, sale, and availability of its property and service and may hold, use, dispose of, invest, and reinvest the income, revenues, and funds derived therefrom. Subject to any agreement with bondholders, it may invest money not required for immediate use, including bond proceeds, in the securities it shall deem prudent, notwithstanding the provisions of any other law relating to the investment of public funds.

388.733. The authority shall be subject to tort liability to the extent provided in chapter 537, RSMo, and may procure insurance against the liability, and may indemnify and purchase and maintain insurance on behalf of any of its commissioners, officers, employees, or agents. It may also procure insurance against loss of or damage to property in the amounts, by reason of the risks, and from the insurers as it deems prudent.

388.736. The state may make grants to a regional railroad authority, as appropriated by the general assembly, to be allocated by the department of transportation to regional railroad authorities. The authority may accept, contract for, and receive and disburse federal, state, and other funds or property, public or private, made available by grant, loan, or lease, to be used in the exercise of any of its powers, and may comply with the terms and conditions of the grant or loan.

388.739. 1. Every regional railroad authority, organized under the provisions of sections 388.700 to 388.745, may from time to time issue its negotiable revenue bonds or notes in such principal amounts as, in its opinion, shall be necessary to provide sufficient funds for achieving its purposes, including the construction, establishment, acquisition, improvement, maintenance, protection and regulation of railroads and railroad facilities, that may be necessary to carry out the provisions of sections 388.700 to 388.745.

2. The state shall not be liable on any notes or bonds of any regional railroad authority. Any such notes or bonds shall not be a debt of the state and shall contain on the faces thereof a statement to such effect.

3. No commissioner of any regional railroad authority or any authorized person executing authority notes or bonds shall be liable personally on said notes or bonds or shall be subject to any personal liability or accountability by reason of the issuance thereof.

4. No authority shall be required to pay any taxes or any assessments whatsoever to this state or to any political subdivisions, municipality or other governmental agency of this state. The notes and bonds of every authority and the income therefrom shall, at all times, be exempt from any taxes and any assessments, except for death and gift taxes and taxes on transfers.

5. Every authority shall have the powers and be governed by the procedures now or hereafter conferred upon or applicable to the environmental improvement authority, chapter 260, RSMo, relating to the manner of issuance of revenue bonds and notes, and the port authority shall exercise all such powers and adhere to all such procedures insofar as they are consistent with the necessary and proper undertaking of its purposes.

388.742. The authority may enter into contracts including leases with any person, firm, or corporation, for terms the authority may determine:

(1) Providing for the operation of any facilities on behalf of the authority, at the rate of compensation as may be determined;

(2) Leasing a rail line for operation by the lessee or any facility or space therein for other commercial purposes, at rentals as may be determined, but no person may be authorized to operate a rail line other than as a common carrier;

(3) Granting the privilege, for compensation as the authority shall determine, of supplying goods, commodities, services, or facilities along rail lines or in or upon other property; and

(4) Making available services furnished by the authority or its agents, at charges, rentals, or fees which shall be reasonable and uniform for the same class of privilege or service.

388.745. If, at any time, the governing body of any city or county that organized a regional railroad authority, votes, by majority, to dissolve a regional railroad authority, it shall be dissolved effective the date of the approval of dissolution by the highways and transportation commission of the state. In the event of dissolution of a regional railroad authority, all funds and other assets shall be distributed among the cities and counties, who were members, on a pro rata basis."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for House Bill No. 744, Page 130, Section 301.560, Line 13, by inserting immediately after said line the following:

"For purposes of this subsection, qualified transactions shall include the purchase of salvage titled vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage dealers license shall be allowed one additional plate or certificate number per fifty-unit qualified transactions annually. In order for salvage dealers to obtain number plates or certificates under this section, dealers shall submit to the department of revenue on August first of each year a statement certifying, under penalty of perjury, the dealer's number of purchases during the reporting period of July first of the immediately preceding year to June thirtieth of the present year."

Senate Amendment No. 9

AMEND Senate Substitute for House Bill No. 744, Page 245, Section 379.130, Lines 10-26 of said page, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for House Bill No. 744, Page 275, Section 1, Line 23, by inserting immediately after said line the following:

"Section 2. The director of the department of revenue shall include with the registration notice required by section 301.040, RSMo, a voter registration application form that conforms with the provisions of section 115.160, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for House Bill No. 744, Page 275, Section 577.039, Line 15 of said page, by inserting after all of said line the following:

"650.340. 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator 16 hours;
- (2) Fire telecommunicator 16 hours;
- (3) Emergency medical services telecommunicator 16 hours;
- (4) Joint communication center telecommunicator 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least [sixteen] **twenty-four** hours of ongoing training every [two] **three** years by such persons or organizations as provided in subsection 6 of this section. **The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590, RSMo.**

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the committee that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or agency as defined in section 190.100, RSMo, or a person trained by an entity accredited or certified under section 190.131, RSMo, or a person who provides prearrival medical instructions who works for an agency which meets the requirements set forth in section 190.134, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for House Bill No. 744, Page 275, Section 1, Line 23, by inserting immediately after said line the following:

"Section 2. 1. An out-of-state show promoter of recreational vehicles, as that term is defined in section 700.010, RSMo, may hold recreational vehicle shows or exhibits with recreational vehicles within this state if the following conditions exist:

(1) The show or exhibition has a minimum of ten recreational vehicle dealers licensed as motor vehicle dealers in this state; and

(2) More than fifty percent of the participating recreational vehicle dealers are licensed motor vehicle dealers in this state.

2. A violation of subsection 1 of this section shall result in a five thousand dollar fine."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Substitute for House Bill No. 744, Page 13, Section 43.547, Line 7, by inserting immediately after said line the following:

"94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525, RSMo.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of (county's or city's name) impose a county/city-wide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES

☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice. If a majority of the votes cast in that county or city not within a county by the qualified voters voting are opposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. The provisions of subsection 4 of this section requiring both the city and county to approve a transportation sales tax before a transportation sales tax may go into effect in either jurisdiction shall not apply to any transportation sales tax submitted to and approved by the voters in such city or such county on or after August 28, 2007.

[5.] 6. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087, RSMo. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county approving a sales tax under this section, and the records shall be open to inspection by officers of the city or county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

[6.] 7. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

[7.] 8. The director of revenue may authorize the state treasurer to make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for House Bill No. 744, Page 53, Section 301.010, Line 22 of said page, by striking said line and inserting in lieu thereof the following:

"(a) [Has been] **Was damaged during a year that is no more than three years after the manufacturer's model year designation for such vehicle** to the extent that the total cost of"; and

Further amend Line 25 of said page, by striking "seventy-five" and inserting in lieu thereof the following:

"eighty"; and

Further amend said bill and section, Page 54, Line 5 of said page, by striking the following:

"for loss due to damage or theft"; and

Further amend Line 11 of said page, by inserting after "replacing," the following:

"or damage as a result of hail,".

Senate Amendment No. 15

AMEND Senate Substitute for House Bill No. 744, Page 270, Section 390.372, Line 25 of said page, by inserting immediately after said line the following:

"407.730. As used in sections 407.730 to 407.748, the following terms mean:

(1) "Advertisement", oral, written, graphic or pictorial statements made in the course of solicitation of business including, without limitation, any statement or representation made in a newspaper, magazine, the car rental company's proprietary web site, or other publication, or contained in any notice, sign, poster, display, circular, pamphlet, or letter which may collectively be called "print advertisements", or on radio or television, which may be referred to as "broadcast commercials";

(2) "Authorized driver":

(a) The renter;

(b) The renter's spouse if the spouse is a licensed driver and satisfies the car rental company's minimum age requirement;

(c) The renter's employee or co-worker if they are engaged in business activity with the person to whom the vehicle is rented, are licensed drivers, and satisfy the rental company's minimum age requirements;

(d) Any person who operates the vehicle during an emergency situation; and

- (e) Any person expressly listed by the car rental company on the renter's contract as an authorized driver;
- (3) "Blackout date", any date on which an advertised price is totally unavailable to the public;
- (4) "Car rental company", any person or entity in the business of renting private passenger vehicles to the public;
- (5) "Car rental insurance", products and services that are offered in connection with and incidental to the rental of a motor vehicle under subdivision (10) of subsection 1 of section 375.786, RSMo. This definition of optional car rental insurance or any other definition of insurance shall not include collision damage waiver;
- (6) "Clear and conspicuous", that the statement, representation or term being disclosed is of such size, color contrast, and audibility and is so presented as to be readily noticed and understood by the person to whom it is being disclosed. All language and terms should be used in accordance with their common or ordinary usage and meaning;
- (7) "Collision damage waiver", any product a consumer purchases from a car rental company in order to waive all or part of his responsibility for damages, or loss of, a rental vehicle;
- (8) "Limited time availability", that the advertised rental price is only available for a specific period of time or that the price is not available during certain blackout periods;
- (9) "Mandatory charge", any charge, fee, or surcharge consumers must generally pay in order to obtain or operate a rental vehicle;
- (10) "Master rental agreement", those documents used by a car rental company for expedited service to members in a program sponsored by the car rental company in which renters establish a profile and select preferences for rental needs which establish the terms and conditions governing the use of a rental car rented by a car rental company by a participant in a master rental agreement;
- (11) "Material restriction", a restriction, limitation or other requirement which significantly affects the price of, use of, or a consumer's financial responsibility for a rental car;
- (12) "Rental agreement", any document or combination of documents, which, when read together and incorporated by reference to each other, relate to and establish the terms and conditions of the rental of a motor vehicle by an individual; or when such a combination of documents is entered into as part of any written master, corporate, group or individual agreement setting forth the terms and conditions governing the use of a rental car rented by a car rental company.
- (13) "Vehicle license fees", charges that may be imposed upon any transaction originating in the State of Missouri to recoup costs incurred by a car rental company to license, title, inspect, register, plate, and pay personal property taxes on rental vehicles.**

407.732. 1. Any advertisement shall be nondeceptive and in plain language. Deception may result not only from a direct statement in the advertisement and from reasonable inferences therefrom, but also from omitting or obscuring a material restriction or fact.

2. Print advertisements that include prices for car rentals shall make clear and conspicuous disclosure of the following applicable restrictions:

- (1) The expiration date of the price offered if it is available for less than thirty days after the last date of publication of the advertisement;
- (2) The existence of any geographical limitations on use;
- (3) The extent of any advance reservation or advance payment requirements;
- (4) Airport access fee disclosure;
- (5) The existence of any penalties or higher rates that may apply for early or late returns for weekly or weekend rentals;
- (6) Existence of additional driver fee;
- (7) The existence of blackout dates or specific blackout dates for location specific advertisements;
- (8) Nonavailability of offer at all locations;
- (9) Disclosure of mileage caps and charges;
- (10) Disclosure of collision damage waiver costs.

Print advertisements that include prices for car rentals, where mileage fees apply to the advertised price, shall prominently disclose this extraordinary material restriction. Print advertisements that include prices for car rentals, where a company sells collision damage waiver to the public and does not include this cost in the advertised rate, shall prominently disclose the price for collision damage waiver.

3. Broadcast commercials that include prices shall indicate whether substantial restrictions apply and shall include:

- (1) The expiration date of the price offered if the advertised price is available for less than thirty days;
- (2) Nonavailability of the advertised price in certain locations if that is the case;
- (3) Mileage limitations and charges, if any;
- (4) Price or price range for collision damage waiver.

4. Any advertised price shall be available in sufficient quantity to meet reasonably expected public demand for the rental cars advertised for the entire advertised period, beginning on the day on which the advertisement appears and continuing at least thirty days thereafter, unless the advertisement clearly and conspicuously discloses a shorter or longer expiration date for the offer, and in that event, through the expiration date. Prices may be advertised although less cars are available than would be required to meet the expected demand, as long as this limitation is clearly and conspicuously set forth in the advertisement and a reasonable number of cars are made available at the advertised price.

5. [Any surcharge or fee, including, but not limited to, fuel surcharges, airport access fees, and surcharges in lieu of sales tax that consumers must generally pay at any location in order to obtain or operate a rental vehicle shall be clearly and conspicuously disclosed when a price is advertised.] **The existence of each additional fee, charge, or surcharge that a consumer must pay and which may be imposed as a separately stated charge on a rental transaction including, but in no way to be construed as limited to, airport fees and vehicle license fees shall be disclosed any time a price is advertised and each fee, charge, or surcharge shall be clearly and conspicuously disclosed on the rental agreement.**

6. A photograph of a rental car shall not be used in a price advertisement unless the advertisement clearly and conspicuously discloses, in immediate proximity to the photograph, the cost to rent the car depicted. A photograph of a rental car shall not be used in an advertisement if the advertisement states directly or by implication that the automobile depicted may be rented under certain conditions and that is not the case.

7. Any price advertised as a "daily price" or "price per day" shall be available for rentals of a single day or more, and any price advertised as a "weekly" rate shall be available for the first week and for subsequent weeks of the same rental. A rental company shall not charge more than a weekly price which was advertised if a customer on a weekly rental returns the car earlier than seven days. A price advertised as a "weekend rate" shall be available on both Saturday and Sunday.

8. Any car rental advertising promotion which extends a free offer or promises a gift or other incentive shall clearly and conspicuously disclose all the terms and conditions for receiving the offer, gift or incentive. A gift, incentive, or other merchandise or service shall not be advertised as free, if the cost of the item, in whole or in part, is included in the advertised rental rate. If the gift or offer is provided by a third party, the car rental company shall be fully responsible for providing the gift or offer under the terms and conditions disclosed.

9. A rental car shall not be advertised using the words "unlimited mileage" or other terms that suggest there are absolutely no mileage restrictions on the use of the rental vehicle only unless there are no geographical restrictions on the use of the vehicle.

10. At the time of the car rental transaction, the car rental company shall disclose the following:

- (1) The total cost, including any airport access fees;
- (2) Geographical limitations;
- (3) Advance reservation or payment requirements;
- (4) Penalties or higher rates that may apply for early or late returns for weekly or weekend rentals;
- (5) Cost of additional driver fee;
- (6) Blackout dates."; and

Further amend the title and enacting clause accordingly.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1** to **SCS SB 4** and has taken up and passed **SCS SB 4**, as **amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SB 233, as amended**: Senators Crowell, Rupp, Goodman, McKenna and Shoemyer.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 233**, and has taken up and passed **CCS SB 233**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 308, as amended**: Senators Crowell, Ridgeway, Shields, Kennedy and Wilson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SRB 613** and has taken up and passed **HCS SRB 613**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1.
2. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan P. Stevenson
/s/ Paul LeVota
/s/ Margaret Donnelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 4**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson
/s/ Rachel Storch
/s/ Leonard Hughes, IV

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 5**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 6**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson
/s/ Jim Whorton
/s/ Belinda Harris

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 7**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7.

2. That the House recede from its position on House Committee Substitute for House Bill No. 7.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson
/s/ Rachel Storch
/s/ Robin Wright-Jones

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 8**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.

2. That the House recede from its position on House Committee Substitute for House Bill No. 8.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson
/s/ Michael Brown
/s/ Jeff Roorda

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 9**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson
/s/ Connie Johnson
/s/ Jamilah Nasheed

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 10**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 11**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 12**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 13**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 13.
2. That the House recede from its position on House Committee Substitute for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 13, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Robert Mayer
/s/ Joan Bray
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet
/s/ Ed Robb
/s/ Bryan Stevenson
/s/ Paul Levota
/s/ Margaret Donnelly

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 81**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 81, with House Amendment Nos. 1, 2, and 3, House Amendment No. 2 to House Amendment No. 4, and House Amendment No. 4, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 81;
2. That the Senate recede from its position on Senate Bill No. 81;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 81, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Griesheimer
/s/ Chris Koster
/s/ Kevin Engler
/s/ Victor Callahan
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Charles Schlottach
/s/ Jason Smith
/s/ Kevin Threlkeld
/s/ Trent Skaggs
/s/ Jacob Zimmerman

**CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 233**

The Conference Committee appointed on Senate Bill No. 233, with House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 233, as amended;
2. That the Senate recede from its position on Senate Bill No. 233;
3. That the attached Conference Committee Substitute for Senate Bill No. 233, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jason Crowell
/s/ Scott Rupp
/s/ Jack Goodman
/s/ Ryan McKenna
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ Bryan Stevenson
/s/ Steven Tilley
/s/ Jerry Nolte
/s/ Jason Holsman
/s/ Clint Zweifel

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 30**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 30, with House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 8, House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9, as amended, House Amendment Nos. 10, 11, 12, 13, 14, 15, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 16, House Substitute Amendment No. 1 for House Amendment No. 16, House Amendment No. 16, as amended, and House Amendment No. 17, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 30, as amended;
2. That the Senate recede from its position on Senate Bill No. 30;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 30, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Gary Nodler
/s/ Robert Mayer
/s/ John Griesheimer
/s/ Ryan McKenna
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ Bryan Stevenson
/s/ Mike Sutherland
/s/ Shannon Cooper
/s/ Rachel Bringer
/s/ Clint Zweifel

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday May 9, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-ninth Day, Monday, May 7, 2007, Page 1555, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"(37) [Tangible personal property purchased for use or consumption directly or exclusively";
and

Line 8, by deleting the numeral "269" and inserting in lieu thereof the numeral "270".

AFFIDAVIT

I, State Representative Doug Ervin, District 35, hereby state and affirm that my vote as recorded on Page 1567 of the House Journal for May 7, 2007 showing that I voted Absent with Leave was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 8th day of May 2007.

/s/ Doug Ervin
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 8th day of May in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY

Wednesday, May 9, 2007, 8:30 a.m. Hearing Room 7.
Executive session.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, May 10, 2007, 8:15 a.m. Hearing Room 5.
Presentation by University of MO - Re: train traffic and related study of the UP line.
Presentations by representatives of AMTRAK, UP and Burlington Northern.
Other rail issues may be discussed.

CONFERENCE COMMITTEE NOTICE

Wednesday, May 9, 2007, 9:00 a.m. Senator Champion's office Room No. 221.
Public hearing to be held on: HCS SB 25

CONFERENCE COMMITTEE NOTICE

Wednesday, May 9, 2007, Senate Committee Room 2 upon morning recess.
Public hearing to be held on: HCS#2 SB 406

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2007, 11:00 a.m. Hearing Room 6.
Quarterly business meeting. Old/New Business.
Some portions of the meeting may be closed pursuant to Section 610.021.

JUDICIARY

Wednesday, May 9, 2007, Hearing Room 1 upon afternoon adjournment.
Executive session only.

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, May 9, 2007, 1:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HCS HB 968, SB 481,
HCS SS SCS SBs 239, 24 & 445, HCS#2 SCS SB 333,
HCS SS SB 654, SS SCS SB 21

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, May 9, 2007,
House Chamber south gallery upon afternoon adjournment or 7:00 p.m.
Executive session may follow.
Public hearings to be held on: HCS HCR 5, HCS SS SB 358, HCS SS SCS SB 577

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 9, 2007, House Chamber south gallery upon morning recess.
Executive session. Reconsideration.
Executive session will be held on: HCS SCS SB 313

SPECIAL COMMITTEE ON UTILITIES

Wednesday, May 9, 2007, 12:00 p.m. Hearing Room 5.
Executive session.

HOUSE CALENDAR

SEVENTY-FIRST DAY, WEDNESDAY, MAY 9, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery

- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821, HA 1, pending - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)

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57 HCS HB 1264 - Page
58 HCS HB 425 - Pearce
59 HCS HB 429 - Jones (117)
60 HCS HB 716 - Davis
61 HCS HB 95 - Sater
62 HB 479 - Darrough
63 HB 733 - Page
64 HCS HB 769 - Bruns
65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
66 HB 1155 - Wright-Jones
67 HCS HB 442 - Kingery
68 HB 727 - Portwood
69 HB 888 - Grisamore
70 HCS HB 923 - Kratky
71 HB 1251 - Komo
72 HCS HB 331 - Lipke
73 HCS#2 HB 735 - Cooper (158)
74 HCS HB 833 - Wasson
75 HB 1104 - Hughes
76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
77 HCS HB 886 - Schlottach
78 HCS HB 869 - Holsman
79 HB 1052 - Brown (50)
80 HCS HB 1272 - El-Amin
81 HCS HB 1023 - Quinn (7)
82 HCS HB 1108 - Pratt

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILLS FOR THIRD READING

1 HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin
2 HB 758 - Brown (50)

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

1 HCR 28, (2-27-07, Pages 438-439) - Walton
2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
3 HCR 33, (3-30-07, Pages 872-873) - Guest
4 HCR 43, (4-12-07, Pages 1081-1082) - Page
5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
7 HCR 38, (4-19-07, Page 1248) - Wright

- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda

SENATE BILLS FOR THIRD READING

- 1 SCS SB 91 - St. Onge
- 2 SB 135 - Kingery
- 3 HCS SCS SB 232 - Cooper (158)
- 4 HCS SCS SB 384, as amended, HSA 1 for HA 2, HA 2, pending, E.C. - Daus
- 5 HCS SCS SB 520 - Hunter
- 6 SB 352 - Ruzicka
- 7 HCS SB 593 & SCS SB 594 - May
- 8 SB 648 - Kelly
- 9 HCS SS SCS SB 320 - Quinn (7)
- 10 SCS SB 418 - Weter
- 11 SB 513 - Wasson
- 12 HCS SB 218 - Deeken
- 13 SB 433 - Pratt
- 14 HCS SS SCS SB 22, E.C. - Schneider
(2 hours debate on Third Reading)
- 15 HCS SS SB 112 - Faith
- 16 SB 271 - Pearce
- 17 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 18 HCS SCS SB 86, E.C. - Sutherland
- 19 HCS SB 315 - Munzlinger
- 20 HCS SCS SB 52, (Fiscal Review 5-07-07), E.C. - St. Onge
(150 minutes debate on Third Reading)
- 21 SB 162 - Deeken
- 22 SB 171 - Wasson
- 23 HCS SCS SB 197 - Yates
- 24 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 25 SS SB 417 - Parson
- 26 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 27 HCS SCS SB 497 - Wilson (119)
- 28 SCS SB 525 - Wasson
- 29 SCS SB 526 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 18 - Icet
- 2 SCS HCS HB 17 - Icet
- 3 SCS HB 41, as amended, E.C. - Portwood
- 4 SS SCS HB 255, as amended, E.C. - Bruns
- 5 SS HB 744, as amended - St. Onge
- 6 SS HB 134 - Guest
- 7 SCS HCS HB 298 - Cooper (120)
- 8 SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172 - Jetton

BILLS CARRYING REQUEST MESSAGES

- 1 CCS SS SCS HCS HB 327, as amended
(House refuses to grant conference/request Senate take up and pass bill) - Richard
- 2 HCS SB 166, (request House recede/take up and pass bill) - Wood
- 3 HB 488, SA 1 (request Senate recede/grant conference) - Wasson

BILLS IN CONFERENCE

- 1 CCR HCS SB 30, as amended, E.C. - Stevenson
- 2 HCS SCS SB 308, as amended - Wasson
- 3 CCR SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 4 CCR SCS HB 1 - Icet
- 5 CCR SCS HCS HB 2 - Icet
- 6 CCR SCS HCS HB 3 - Icet
- 7 CCR SCS HCS HB 4 - Icet
- 8 CCR SCS HCS HB 5 - Icet
- 9 CCR SCS HCS HB 6 - Icet
- 10 CCR SCS HCS HB 7 - Icet
- 11 CCR SCS HCS HB 8 - Icet
- 12 CCR SCS HCS HB 9 - Icet
- 13 CCR SCS HCS HB 10 - Icet
- 14 CCR SCS HCS HB 11, as amended - Icet
- 15 CCR SCS HCS HB 12 - Icet
- 16 CCR SCS HCS HB 13 - Icet
- 17 HCS SCS SB 64, as amended - Wallace
- 18 CCR HCS SB 81, as amended, E.C. - Schlottach
- 19 HCS SCS SB 198 - Pollock
- 20 HCS SB 25, as amended - Franz
- 21 HB 574, SA 1, SA 3, E.C. - St. Onge
- 22 SS HB 665, as amended - Ervin
- 23 HCS#2 SB 406, as amended - Wallace
- 24 HCS SCS SB 82, as amended - Tilley
- 25 HCS SB 84, as amended - Franz
- 26 HCS SB 416 - Pratt
- 27 HCS SCS SB 156, as amended, E.C. - Quinn (7)
- 28 HCS SCS SBs 62 & 41, as amended - Ruestman

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-FIRST DAY, WEDNESDAY, MAY 9, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, it was Your grace that covered us and kept us as we traveled the numerous miles throughout this year's Session. It was Your grace that sustained us as we put in long hours and debated vigorously on behalf of our constituents. It was Your grace that strengthened us when our bodies succumbed to sickness or injury and Your grace that sustained us in times of grief. So we keep our eyes fixed on You, thanking You for Your continued grace.

We have found favor with both You and man, and a reputation for good judgment and common sense, because we trust You completely; refusing to put complete trust in ourselves. As we acknowledge You, in everything we do, You direct us and crown our efforts with success.

LORD God, You are the source of our confidence, and You guard us from being caught in the trap of shortsightedness and willful neglect.

Now may You, Heavenly Father, who loved us and by grace gave us eternal comfort and good hope, encourage our hearts and strengthen us in every good thing we do or say.

In Jesus' name, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bailey Kretzler, Kaitlin Kretzler, Abaigeal Kretzler, Anthony Schramm, Hanna Haegele, Idora Butler, Tyler Jost, Philip Robin, David Wood, John Ellebrecht, Lucy Dwyer, Madison Massie, Kate Sutton, Matt Barber, Kaitlyn Chaney and Clayton Bennett.

The Journal of the seventieth day was approved as printed.

THIRD READING OF HOUSE BILL

HB 758, relating to a credit for school student employers, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HB 758** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer

Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Day	Dempsey	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Faith	Fallert	Fares	Fisher	Flook
Frame	Funderburk	George	Grill	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 007

Davis	Dethrow	Emery	Ervin	Franz
Robb	Schad			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bruns	Cooper 120	Corcoran	Curls	Deeken
Grisamore	Kuessner	Marsh	Meadows	Nasheed
Salva	Walton	Wildberger		

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS SCS SB 22, relating to political subdivisions, was taken up by Representative Schneider.

HCS SS SCS SB 22 was laid over.

BILLS IN CONFERENCE

CCR SCS HB 1, relating to appropriations, was taken up by Representative Ice.

On motion of Representative Icet, **CCR SCS HB 1** was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bruns	Cooper 120	Curls	Deeken	Haywood
Kuessner	Lembke	Marsh	Meadows	Salva
Walton	Wildberger			

On motion of Representative Icet, **CCS SCS HB 1** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow

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Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bruns	Curls	Kuessner	Lembke	Marsh
Meadows	Salva	Wildberger		

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 2, relating to appropriations, was taken up by Representative Ice.

Representative Dempsey assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke

Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 065

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Bruns	Cooper 155	Curls	Kuessner	Marsh
Meadows	Nolte	Page	Wildberger	

On motion of Representative Icet, **CCR SCS HCS HB 2** was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

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NOES: 062

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kratky
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 007

Bland	Bruns	Curls	Kuessner	Marsh
Meadows	Wildberger			

On motion of Representative Icet, **CCS SCS HCS HB 2** was read the third time and passed by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hughes	Johnson	Komo
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford

Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 007

Bruns	Curls	Kratky	Kuessner	Marsh
Meadows	Wildberger			

Speaker Pro Tem Bearden declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1**, and has taken up and passed **CCS SCS HB 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS#2 HB 28**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 159**, entitled:

An act to repeal sections 236.400, 236.410, 236.415, 236.420, 236.425, 236.435, 236.440, 236.445, 236.460, 236.465, and 236.500, RSMo, and to enact in lieu thereof eleven new sections relating to dam and reservoir safety, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 181**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 182**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SA 1** to **HB 488** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HB 488, as amended**: Senators Stouffer, Clemens, Lager, Callahan and Shoemyer.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 579**, entitled:

An act to repeal sections 44.020, 44.024, and 44.100, RSMo, section 44.045 as enacted by conference committee substitute for senate substitute for senate committee substitute for house bill no. 58, ninety-third general assembly, first regular session and section 44.045 as enacted by conference committee

substitute for house committee substitute for senate committee substitute for senate bills nos. 420 & 344, ninety-third general assembly, first regular session, and to enact in lieu thereof five new sections relating to emergency management, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 948**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 47, as amended**, and has taken up and passed **HCS SCS SB 47, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 82, as amended**: Senators Griesheimer, Stouffer, Vogel, Days and Bray.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 84, as amended**: Senators Champion, Mayer, Scott, Justus and Days.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 156**: Senators Engler, Purgason, Mayer, Barnitz and Shoemyer.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 416**: Senators Goodman, Engler, Koster, Callahan and Bray.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Cooper (120).

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Morgan Fuchs, Allison Ratliff, Shae Spear, Elise Krueger, Jenna Storr and Anna Thurby.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3321 through House Resolution No. 3462

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 41, as amended, relating to police department special advisors, was taken up by Representative Portwood.

Speaker Pro Tem Bearden resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Haywood	Hobbs	Hunter
Iceet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Kratky	Kuessner	Meadows	Richard
Rucker	Wildberger			

On motion of Representative Portwood, **SCS HB 41, as amended**, was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey

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Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Curls	Kelly	Kratky	Kuessner	Meadows
Rucker	Wasson	Wildberger		

On motion of Representative Portwood, **SCS HB 41, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Baker 123	Bearden	Bivins	Bland
Bowman	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner

Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 25	Cooper 155	Curls	Kelly
Kratky	Kuessner	Meadows	Rucker	Schaaf
Sutherland	Wasson	Wildberger		

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson

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St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Walton	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 007

Bowman	George	Haywood	Holsman	Talboy
Villa	Vogt			

PRESENT: 000

ABSENT WITH LEAVE: 008

Curls	Kelly	Kratky	Kuessner	Meadows
Rucker	Wasson	Wildberger		

BILLS IN CONFERENCE

CCR SCS HCS HB 3, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 3** was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Davis	Donnelly	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Johnson
Komo	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson

Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Threlkeld	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 005

Curls	Kratky	Kuessner	Rucker	Wildberger
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On motion of Representative Icet, **CCS SCS HCS HB 3** was read the third time and passed by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Thomson	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Davis	Donnelly	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Johnson
Komo	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Threlkeld	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

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ABSENT WITH LEAVE: 006

Curls	Kratky	Kuessner	Rucker	Sutherland
Wildberger				

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 4, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 4** was adopted by the following vote:

AYES: 136

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kingery	Komo	Kraus	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 019

Bringer	Burnett	Darrough	Daus	Donnelly
George	Harris 23	Hodges	Holsman	LeVota
Oxford	Schoemehl	Spreng	Talboy	Vogt
Walsh	Whorton	Witte	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 008

Curls	Kelly	Kratky	Kuessner	Roorda
Rucker	Scharnhorst	Wildberger		

On motion of Representative Icet, **CCS SCS HCS HB 4** was read the third time and passed by the following vote:

AYES: 127

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Brown 30	Brown 50
Bruns	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Robb	Robinson	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yates	Young
Zimmerman	Mr Speaker			

NOES: 024

Baker 25	Bringer	Burnett	Chappelle-Nadal	Darrough
Daus	Donnelly	George	Harris 23	Hodges
Holsman	LeVota	Low 39	Nasheed	Oxford
Schoemehl	Skaggs	Spreng	Talboy	Walsh
Whorton	Witte	Yaeger	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 012

Cox	Curls	Funderburk	Kratky	Kuessner
Page	Richard	Roorda	Rucker	Schad
Vogt	Wildberger			

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 5, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 5** was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

NOES: 068

Aull	Baker 25	Bland	Bowman	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Darrough	Daus	Donnelly	Dusenberg
El-Amin	Fallert	Frame	George	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Komo	Kraus	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Pratt	Quinn 9	Robinson	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Thomson
Todd	Villa	Vogt	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Kratky	Kuessner	Roorda	Rucker
Schad	Wildberger			

On motion of Representative Icet, **CCS SCS HCS HB 5** was read the third time and passed by the following vote:

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Bruns	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	El-Amin
Emery	Faith	Fares	Fisher	Flook

Franz	Funderburk	Guest	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 070

Aull	Baker 25	Bland	Bowman	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Darrough	Daus	Donnelly	Dusenberg
Ervin	Fallert	Frame	George	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kraus
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Pratt	Quinn 9	Robinson
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Thomson	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Cooper 120	Curls	Kratky	Kuessner	Rucker
Schad	Wasson	Wildberger		

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 6, relating to appropriations, was taken up by Representative Ice.

Representative Dempsey resumed the Chair.

On motion of Representative Ice, **CCR SCS HCS HB 6** was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs

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Hodges	Hoskins	Hubbard	Hughes	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 012

Burnett	Darrough	George	Harris 23	Holsman
Johnson	LeVota	Low 39	Oxford	Roorda
Talboy	Vogt			

PRESENT: 002

Swinger	Witte
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ABSENT WITH LEAVE: 007

Curls	Kratky	Kuessner	Rucker	Salva
Wasson	Wildberger			

On motion of Representative Ice, **CCS SCS HCS HB 6** was read the third time and passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Hoskins	Hubbard	Hughes	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lembke	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock

Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 013

Brown 50	Darrough	George	Harris 23	Holsman
Johnson	Lampe	LeVota	Low 39	Oxford
Roorda	Talboy	Vogt		

PRESENT: 002

Swinger	Witte
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ABSENT WITH LEAVE: 007

Burnett	Curls	Kratky	Kuessner	Rucker
Salva	Wildberger			

Representative Dempsey declared the bill passed.

Representative Tilley assumed the Chair.

CCR SCS HCS HB 7, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 7** was adopted by the following vote:

AYES: 110

Aull	Avery	Bearden	Bivins	Brandom
Brown 30	Brown 50	Bruns	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grisamore	Guest	Hobbs	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lembke	Lipke	Loehner	Marsh	May
Moore	Munzlinger	Nance	Nieves	Nolte
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Ruestman	Ruzicka	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Wallace

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Walton	Wasson	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 046

Baker 25	Baker 123	Bland	Bowman	Bringer
Burnett	Casey	Darrough	Daus	Davis
Fallert	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Johnson	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	McGhee
Meiners	Muschany	Nasheed	Norr	Oxford
Quinn 9	Roorda	Sander	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Swinger
Todd	Villa	Vogt	Walsh	Wells
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Kratky	Kuessner	Meadows	Rucker
Salva	Wildberger			

On motion of Representative Icet, **CCS SCS HCS HB 7** was read the third time and passed by the following vote:

AYES: 115

Aull	Avery	Baker 25	Bearden	Bivins
Brandom	Brown 30	Brown 50	Bruns	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Day	Decken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Hobbs	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	Lipke	Loehner
Lowe 44	Marsh	Moore	Munzlinger	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Walton	Wasson	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 040

Baker 123	Bland	Bowman	Bringer	Burnett
Casey	Darrough	Daus	Davis	Fallert
George	Grill	Harris 23	Harris 110	Hodges
Johnson	LeVota	Liese	Low 39	McClanahan
McGhee	Meiners	Muschany	Nasheed	Oxford
Quinn 9	Roorda	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Swinger	Todd
Villa	Vogt	Walsh	Wells	Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 008

Curls	Haywood	Kratky	Kuessner	May
Meadows	Rucker	Wildberger		

Representative Tilley declared the bill passed.

CCR SCS HCS HB 8, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 8** was adopted by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119

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Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Kratky	Kuessner	Meadows	Quinn 9
Rucker	Wildberger			

On motion of Representative Icet, **CCS SCS HCS HB 8** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Curls	Kratky	Kuessner	Meadows	Quinn 9
Rucker	Wasson	Wildberger		

Representative Tilley declared the bill passed.

CCR SCS HCS HB 9, relating to appropriations, was taken up by Representative Icet.

Speaker Jetton assumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Brown 50	Bruns	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Robinson	Roorda	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

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ABSENT WITH LEAVE: 010

Cooper 120	Curls	Darrough	Kratky	Kuessner
Meadows	Quinn 9	Rucker	Wildberger	Young

Representative Walsh requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Icet, **CCR SCS HCS HB 9** was adopted by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 009

Bringer	Burnett	Darrough	George	Low 39
Oxford	Skaggs	Talboy	Vogt	

PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Kratky	Kuessner	Meadows	Quinn 9
Rucker	Wildberger			

On motion of Representative Icet, **CCS SCS HCS HB 9** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 008

Bringer	Burnett	Darrough	Low 39	Oxford
Skaggs	Talboy	Vogt		

PRESENT: 000

ABSENT WITH LEAVE: 008

Curls	Kratky	Kuessner	Meadows	Quinn 9
Rucker	Schaaf	Wildberger		

Speaker Jetton declared the bill passed.

THIRD READING OF SENATE BILL

HCS SCS SB 86, relating to a tax credit for children in crisis, was taken up by Representative Sutherland.

Representative Sutherland offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 86, Page 7, Section 135.1150, Line 79, by inserting after all of said line the following:

"620.1300. **1.** A cost benefit analysis shall be prepared to evaluate the effectiveness of all tax credit programs, as defined by section 135.800, RSMo, and all programs operated by the department of economic development for which the department approves tax credits, loans, loan guarantees, or grants. Each analysis shall be conducted by the state auditor, and shall include, but not be limited to, the costs for each program, the direct state and indirect state benefits and the direct local and indirect local benefits associated with each program, the safeguards to protect noneconomic influences in the award of programs administered by the department, and the likelihood of the economic activity taking place without the program. The result of each analysis shall be published and distributed, by January 1, 2001, and at least every four years thereafter, to the governor, the speaker of the house of representatives, the president pro tem of the senate, the chairman of the house budget committee, the chairman of the senate appropriations committee, the joint committee on tax policy, and the joint committee on economic development policy and planning.

2. No later than September 1, 2007, the president pro tem of the senate and speaker of the house of representatives shall designate no less than fourteen tax credit programs, authorized under Missouri law, which, as of the effective date of this section, are not subject to the provisions of section 23.253, RSMo, for review by the budget committee of the house and appropriations committee of the senate with any findings made by such committees to be reported to the general assembly no later than February 1, 2008. No later than July 1, 2008, the president pro tem of the senate and speaker of the house of representatives shall designate no less than half of the tax credit programs, authorized under Missouri law, which, as of the effective date of this section, are not subject to the provisions of section 23.253, RSMo, and have not been previously reviewed as provided under this section, for review by the budget committee of the house and appropriations committee of the senate with any findings made by such committees to be reported to the general assembly no later than February 1, 2009. No later than July 1, 2009, the president pro tem of the senate and speaker of the house of representatives shall designate all of the remaining tax credit programs, authorized under Missouri law, which, as of the effective date of this section, are not subject to the provisions of section 23.253, RSMo, and have not been previously reviewed as provided under this section, for review by the budget committee of the house and appropriations committee of the senate with any findings made by such committees to be reported to the general assembly no later than February 1, 2010. In the event the president pro tem of the senate and the speaker of the house of representatives either: fail to agree on the designation of tax credits as required under the provisions of this section; or fail to submit such tax credits for review, all tax credits, authorized under Missouri law which as of the effective date of this section are not subject to the provisions of section 23.253, RSMo, shall be reviewed by the budget committee of the house and the appropriations committee of the senate with any findings made by such committees to be reported to the general assembly in the following manner:

(1) All domestic and social tax credits, environmental tax credits, and training and educational tax credits, as such terms are defined in section 135.800, RSMo, shall be reviewed no later than February 1, 2008;

(2) All agricultural tax credits, housing tax credits, and redevelopment tax credits, as such terms are defined in section 135.800, RSMo, shall be reviewed no later than February 1, 2009; and

(3) All business recruitment tax credits, community development tax credits, and entrepreneurial tax credits, as such terms are defined in section 135.800, RSMo, shall be reviewed no later than February 1, 2010.

3. Other provisions of law to the contrary notwithstanding, tax credits authorized under any provision of Missouri law which, as of the effective date of this section, are not subject to the provisions of section 23.253, RSMo, shall not be approved after December 31, 2011, unless:

(1) The general assembly adopts a concurrent resolution authorizing the approval of such tax credits thereby reauthorizing such tax credit program, after such program has been subject to review and had findings reported by both the budget committee of the house or the appropriations committee of the senate as provided in this section; or

(2) By enactment of a general law modifying the provisions of such tax credit program.

Any program so reauthorized or reenacted shall constitute a new program, as such term is used under section 23.253, RSMo, and shall be subject to the provisions of such section. Nothing in this section shall be construed to prohibit a taxpayer from being issued or redeeming tax credits approved prior to December 31, 2010, subject to the limitations provided in the provisions of law authorizing such tax credit."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Villa raised a point of order that **HCS SCS SB 86** is not properly before the House pursuant to Rule 6.

The Chair ruled the point of order not timely.

Representative Richard offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 86, Page 4, Line 6, by deleting the number "2010" and inserting in lieu thereof the following:

"2011"; and

Further amend said bill by amending title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Lampe	LeVota	Liese

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Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Robinson	Roorda	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 011

Bowman	Curls	Kratky	Kuessner	Meadows
Page	Portwood	Quinn 9	Rucker	Thomson
Wildberger				

On motion of Representative Richard, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Sutherland, **House Amendment No. 1, as amended**, was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hubbard	Hunter
Iceet	Jones 89	Jones 117	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 059

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Johnson
Komo	Lampe	LeVota	Liese	Low 39
McClanahan	Meiners	Nasheed	Oxford	Page

Robinson	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Brown 50

ABSENT WITH LEAVE: 011

Curls	Kratky	Kraus	Kuessner	Lowe 44
McGhee	Meadows	Norr	Quinn 9	Rucker
Wildberger				

On motion of Representative Sutherland, **HCS SCS SB 86, as amended**, was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 008

Burnett	Holsman	Low 39	Lowe 44	Oxford
Skaggs	Talboy	Whorton		

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PRESENT: 000

ABSENT WITH LEAVE: 007

Curls	Kratky	Kuessner	Meadows	Quinn 9
Rucker	Wildberger			

On motion of Representative Sutherland, **HCS SCS SB 86, as amended**, was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 007

Burnett	Low 39	Lowe 44	Oxford	Skaggs
Talboy	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker 123	Curls	Kratky	Kuessner	Meadows
Quinn 9	Rucker	Wildberger		

Representative Cooper (120) declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates

NOES: 022

Bringer	Burnett	Corcoran	Daus	Donnelly
Harris 23	Hughes	Johnson	LeVota	Low 39
Lowe 44	Salva	Skaggs	Talboy	Villa
Vogt	Walsh	Whorton	Witte	Yaeger
Young	Zweifel			

PRESENT: 038

Aull	Baker 25	Bland	Bowman	Brown 50
Casey	Darrough	Fallert	Frame	George
Grill	Harris 110	Haywood	Hodges	Holsman
Komo	Lampe	Liese	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Robinson
Roorda	Scavuzzo	Schieffer	Schlottach	Schoemehl
Shively	Spreng	Storch	Swinger	Todd
Wright-Jones	Zimmerman	Mr Speaker		

ABSENT WITH LEAVE: 008

Curls	Dougherty	Kratky	Kuessner	Meadows
Quinn 9	Rucker	Wildberger		

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 225 - Special Committee on Agri-Business

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SS SCS SB 428**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Professional Registration and Licensing, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HCS SCS SB 313**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Utilities, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SS SCS SBs 49, 65, 210 & 251**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 239, 24 & 445**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 333**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 358**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 481**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 577**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 3 hours for debate on Third Reading**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 605**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 654**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 968**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2**, and has taken up and passed **CCS SCS HCS HB 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 3**, and has taken up and passed **CCS SCS HCS HB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 4**, and has taken up and passed **CCS SCS HCS HB 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 5**, and has taken up and passed **CCS SCS HCS HB 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 6**, and has taken up and passed **CCS SCS HCS HB 6**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 7**, and has taken up and passed **CCS SCS HCS HB 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 8**, and has taken up and passed **CCS SCS HCS HB 8**.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the Conference Committee Report on **SS SCS HCS HB 327, as amended**, and requests the House to grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 25, as amended**, and has taken up and passed **CCS HCS SB 25**.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

May 9, 2007

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
94th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **House Committee Substitute for House Bill No. 405** entitled:

"AN ACT"

To repeal sections 43.010, 43.030, 43.090, 43.110, 43.120, and 43.140, RSMo, and to enact in lieu thereof six new sections relating to the highway patrol, with an emergency clause.

On May 9, 2007, I approved said **House Committee Substitute for House Bill No. 405**.

Respectfully submitted,

/s/ Matt Blunt
Governor

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 25**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 25, with House Amendment Nos. 2 and 3 to House Amendment No. 1, House Amendment No. 1, as amended, and House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 25, as amended;
2. That the Senate recede from its position on Senate Bill No. 25;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 25, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Norma Champion
/s/ Jack Goodman
/s/ Bill Stouffer
/s/ Rita Days
/s/ Maida Coleman

FOR THE HOUSE:

/s/ Ward Franz
/s/ Brian Baker
/s/ Doug Ervin

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 308**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, with House Amendment Nos. 1, 2, 3, 5, 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 308;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jason Crowell
/s/ Luann Ridgeway
/s/ Charles Shields
/s/ Harry Kennedy
/s/ Yvonne Wilson

FOR THE HOUSE:

/s/ Jay Wasson
/s/ Michael Parson
/s/ Steven Tilley
/s/ Sam Page
/s/ Rebecca McClanahan

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, May 10, 2007.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Thursday, May 10, 2007, 8:15 a.m. Hearing Room 5.

Presentation by University of MO - Re: train traffic and related study of the UP line.

Presentations by representatives of AMTRAK, UP and Burlington Northern.

Other rail issues may be discussed.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2007, 11:00 a.m. Hearing Room 6.

Quarterly business meeting. Old/New Business.

Some portions of the meeting may be closed pursuant to Section 610.021.

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, May 10, 2007, Hearing Room 1 upon adjournment or 6:00 p.m.

Any bill referred to the Committee on Rules pursuant to Rule 25(21)(f).

Executive session may follow.

SPECIAL COMMITTEE ON AGRI-BUSINESS

Thursday, May 10, 2007, 9:30 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearing to be held on: SS SCS SB 225

HOUSE CALENDAR

SEVENTY-SECOND DAY, THURSDAY, MAY 10, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821, HA 1, pending - Onder
- 36 HCS HB 995 - Hobbs

37 HCS#2 HB 85 - Kraus
38 HCS HB 399 - Walton
39 HCS HB 624 - Wilson (119)
40 HCS#2 HB 752 - Sutherland
41 HCS HB 1000 - Storch
42 HCS HB 1044 - Deeken
43 HCS HB 244 - Wells
44 HCS HB 587 - Tilley
45 HCS HB 628 - Loehner
46 HCS HB 629 - Hunter
47 HCS HB 872 - Cooper (158)
48 HCS HB 913 - Cooper (120)
49 HB 932 - Grill
50 HCS HB 1089 - Stevenson
51 HCS HB 347 - Munzlinger
52 HB 439 - Hunter
53 HCS HB 630 - Schlottach
54 HB 646 - Young
55 HCS HB 919 - Schneider
56 HCS HB 944 - Cooper (120)
57 HCS HB 1264 - Page
58 HCS HB 425 - Pearce
59 HCS HB 429 - Jones (117)
60 HCS HB 716 - Davis
61 HCS HB 95 - Sater
62 HB 479 - Darrough
63 HB 733 - Page
64 HCS HB 769 - Bruns
65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
66 HB 1155 - Wright-Jones
67 HCS HB 442 - Kingery
68 HB 727 - Portwood
69 HB 888 - Grisamore
70 HCS HB 923 - Kratky
71 HB 1251 - Komo
72 HCS HB 331 - Lipke
73 HCS#2 HB 735 - Cooper (158)
74 HCS HB 833 - Wasson
75 HB 1104 - Hughes
76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
77 HCS HB 886 - Schlottach
78 HCS HB 869 - Holsman
79 HB 1052 - Brown (50)
80 HCS HB 1272 - El-Amin
81 HCS HB 1023 - Quinn (7)
82 HCS HB 1108 - Pratt
83 HCS#2 HBs 406 & 726 - Cox

HOUSE BILL FOR PERFECTION - INFORMAL

HB 61 - Ruestman

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda

SENATE BILLS FOR THIRD READING

- 1 SCS SB 91 - St. Onge
- 2 SB 135 - Kingery
- 3 HCS SCS SB 232 - Cooper (158)
- 4 HCS SCS SB 384, as amended, HSA 1 for HA 2, HA 2, pending, E.C. - Daus
- 5 HCS SCS SB 520 - Hunter
- 6 SB 352 - Ruzicka
- 7 HCS SB 593 & SCS SB 594 - May
- 8 SB 648 - Kelly
- 9 HCS SS SCS SB 320 - Quinn (7)
- 10 SCS SB 418 - Weter
- 11 SB 513 - Wasson
- 12 HCS SB 218 - Deeken
- 13 SB 433 - Pratt
- 14 HCS SS SCS SB 22, E.C. - Schneider (2 hours debate on Third Reading)
- 15 HCS SS SB 112 - Faith
- 16 SB 271 - Pearce
- 17 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 18 HCS SB 315 - Munzlinger
- 19 HCS SCS SB 52, (Fiscal Review 5-07-07), E.C. - St. Onge
(150 minutes debate on Third Reading)
- 20 SB 162 - Deeken
- 21 SB 171 - Wasson
- 22 HCS SCS SB 197 - Yates
- 23 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 24 SS SB 417 - Parson
- 25 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 26 HCS SCS SB 497 - Wilson (119)
- 27 SCS SB 525 - Wasson

- 28 SCS SB 526 - Wasson
- 29 SCS SB 66 - Yates
- 30 HCS SS SCS SB 577, E.C. - Schaaf (3 hours debate on Third Reading)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 18 - Icet
- 2 SCS HCS HB 17 - Icet
- 3 SS SCS HB 255, as amended, E.C. - Bruns
- 4 SS HB 744, as amended - St. Onge
- 5 SS HB 134 - Guest
- 6 SCS HCS HB 298 - Cooper (120)
- 7 SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172 - Jetton
- 8 SS HB 579, E.C. - Dempsey
- 9 SCS HCS HB 159 - Bivins

BILLS CARRYING REQUEST MESSAGES

- 1 CCS SS SCS HCS HB 327, as amended
(request House grant further conference) - Richard
- 2 HCS SB 166, (request House recede/take up and pass bill) - Wood

BILLS IN CONFERENCE

- 1 CCR HCS SB 30, as amended, E.C. - Stevenson
- 2 CCR HCS SCS SB 308, as amended - Wasson
- 3 CCR SB 233, HA 1, HA 2, HA 3, HA 4, HA 5 - Stevenson
- 4 CCR SCS HCS HB 10 - Icet
- 5 CCR SCS HCS HB 11, as amended - Icet
- 6 CCR SCS HCS HB 12 - Icet
- 7 CCR SCS HCS HB 13 - Icet
- 8 HCS SCS SB 64, as amended - Wallace
- 9 CCR HCS SB 81, as amended, E.C. - Schlottach
- 10 HCS SCS SB 198 - Pollock
- 11 CCR HCS SB 25, as amended - Franz
- 12 HB 574, SA 1, SA 3, E.C. - St. Onge
- 13 SS HB 665, as amended - Ervin
- 14 HCS#2 SB 406, as amended - Wallace
- 15 HCS SCS SB 82, as amended - Tilley
- 16 HCS SB 84, as amended - Franz
- 17 HCS SB 416 - Pratt
- 18 HCS SCS SB 156, as amended, E.C. - Quinn (7)
- 19 HCS SCS SBs 62 & 41, as amended - Ruestman
- 20 HB 488, SA 1 - Wasson

HOUSE RESOLUTION

- HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-SECOND DAY, THURSDAY, MAY 10, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Dr. Phil McClenden, Calvary Baptist Church, Joplin.

Our Father, we praise You for Your love that embraces us and gives us security, Your joy that uplifts us and gives us resiliency, Your peace that floods our hearts and gives us calmness, Your spirit that fills us and gives us strength and fortitude.

Guide us, Lord, so we can maximize the hours of this week. Help us to think clearly without confusion, to speak without resentment, to debate without division and to decide courageously without strife.

May our speech honor You and deal with issues and not personalities. Grant the Representatives Your grace to work this week as the honorable men and women who love You and count it a high privilege to serve as leaders of our beloved nation.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Grant Joseph Norton, Sydney Hoppe, Thomas Stauffer, Brian Stauffer and Christian Rehder.

The Journal of the seventy-first day was approved as corrected by the following vote:

AYES: 121

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 30	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hoskins	Hubbard	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller

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Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Mr Speaker				

NOES: 028

Bringer	Burnett	Corcoran	Darrough	Daus
Donnelly	George	Harris 23	Holsman	Hughes
Johnson	LeVota	Liese	Low 39	Lowe 44
Oxford	Page	Roorda	Schieffer	Schoemehl
Skaggs	Storch	Talboy	Todd	Vogt
Whorton	Zimmerman	Zweifel		

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 013

Bland	Bowman	Brown 50	Curls	Dougherty
Haywood	Hunter	Kratky	Kuessner	Meadows
Quinn 9	Salva	Wildberger		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3463 through House Resolution No. 3560

THIRD READING OF SENATE BILL

SB 433, relating to unemployment benefits for veterans, was taken up by Representative Pratt.

On motion of Representative Pratt, **SB 433** was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore

Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bowman	Curls	Dougherty	Kratky
Kuessner	Salva	Wildberger		

Speaker Pro Tem Bearden declared the bill passed.

BILL IN CONFERENCE

CCR SB 233, as amended, relating to a sales tax for Perry County, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **CCR SB 233, as amended**, was adopted by the following vote:

AYES: 090

Avery	Bearden	Bivins	Brandom	Brown 50
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Emery	Faith	Fares
Fisher	Franz	Funderburk	Guest	Hobbs
Hoskins	Hubbard	Ice	Johnson	Jones 89
Jones 117	Kelly	Lembke	Lipke	Loehner
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Young	Zweifel	Mr Speaker

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NOES: 064

Aull	Baker 25	Baker 123	Bringer	Brown 30
Burnett	Casey	Chappelle-Nadal	Corcoran	Cunningham 86
Darrough	Daus	Davis	Donnelly	Dusenberg
El-Amin	Ervin	Fallert	Flook	Frame
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Komo
Kraus	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Muschany	Nasheed
Norr	Oxford	Page	Pratt	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schneider
Schoemehl	Shively	Skaggs	Spreng	Storch
Talboy	Todd	Vogt	Walsh	Whorton
Witte	Yaeger	Yates	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Bowman	Curls	Dougherty	Hunter
Kingery	Kratky	Kuessner	Wildberger	

On motion of Representative Stevenson, **CCS SB 233** was truly agreed to and finally passed by the following vote:

AYES: 090

Avery	Bearden	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Emery	Faith	Fares
Fisher	Franz	Funderburk	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Lembke	Liese
Lipke	Loehner	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Quinn 7	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Viebrock	Villa	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Young	Zweifel	Mr Speaker

NOES: 061

Aull	Baker 25	Baker 123	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cunningham 86
Darrough	Daus	Davis	Donnelly	Dusenberg
El-Amin	Ervin	Fallert	Flook	Frame
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Komo
Kraus	Lampe	Low 39	Lowe 44	McClanahan
Meadows	Muschany	Nasheed	Norr	Oxford

Page	Pratt	Quinn 9	Roorda	Salva
Scavuzzo	Schieffer	Schneider	Schoemehl	Shively
Skaggs	Spreng	Storch	Talboy	Todd
Vogt	Walsh	Whorton	Witte	Yaeger
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bowman	Corcoran	Curls	Kingery
Kratky	Kuessner	LeVota	Smith 150	Tilley
Wildberger	Zimmerman			

Speaker Pro Tem Bearden declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SB 166, relating to tourism, was taken up by Representative Wood.

Representative Wood moved that the House recede from its position on **HCS SB 166** and truly agree to and finally pass **SB 166**.

Which motion was adopted by the following vote:

AYES: 125

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Komo	Kraus	Lampe
Lembke	Liese	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Mr Speaker

NOES: 030

Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Darrough	Donnelly	Flook	Harris 23

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Holsman	Hughes	LeVota	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Page	Quinn 9
Roorda	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Vogt	Witte	Zweifel

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 007

Bowman	Curls	Kingery	Kratky	Kuessner
Onder	Wildberger			

On motion of Representative Wood, **SB 166** was truly agreed to and finally passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 004

Cooper 158	Flook	Lipke	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Cooper 120	Curls	El-Amin	Hunter
Kingery	Kratky	Kuessner	Onder	Wildberger

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HB 488: Representatives Wasson, Richard, Parson, Corcoran and Meadows
HB 574: Representatives St. Onge, Schlottach, Bivins, Daus and Kuessner
SS HB 665: Representatives Ervin, Flook, Sutherland, Bringer and Skaggs
HCS SCS SB 82: Representatives Tilley, Scharnhorst, Parson, Robinson and Burnett
HCS SB 84: Representatives Franz, McGhee, Muschany, Low (39) and Oxford
HCS SCS SB 156: Representatives Quinn (7), Dethrow, Hobbs, McClanahan and Witte
HCS SB 416: Representatives Pratt, Flook, Kraus, George and Zimmerman

Speaker Pro Tem Bearden resumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HB 255, as amended, relating to a fleet management fund, was taken up by Representative Brunns.

Representative Brunns moved that the House refuse to adopt **SS SCS HB 255, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

SB 352, relating to emergency vehicles, was taken up by Representative Ruzicka.

Representative LeVota offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 352, Page 2, Section 304.022, Line 50, by inserting after the word "RSMo" the following:

";
(9) Any vehicle operated by a case investigator employed by the children's division of the department of social services"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative LeVota moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	El-Amin	Fallert	George	Grill
Harris 23	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Talboy	Todd	Villa	Vogt	Walsh
Walton	Wright-Jones	Young	Zimmerman	

NOES: 097

Avery	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberger	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Harris 110	Hobbs
Hunter	Icet	Jones 89	Kelly	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Schoemehl	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zweifel	Mr Speaker			

PRESENT: 001

Threlkeld

ABSENT WITH LEAVE: 011

Baker 123	Bowman	Curls	Johnson	Jones 117
Kingery	Kratky	Kuessner	Onder	Spreng
Wildberger				

Representative Hughes offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Bill No. 352, Page 2, Section 304.022, Line 25, by inserting after the word "**agent**," the words "**funeral escort**,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt assumed the Chair.

Representative Hughes moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Cooper 120	Cooper 158	Corcoran
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kraus
Lampe	LeVota	Liese	Low 39	Lowe 44
Marsh	McClanahan	Meadows	Meiners	Nasheed
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schlottach
Schoemehl	Self	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Wallace	Walsh	Walton	Weter
Whorton	Wright 159	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 080

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Norr
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schneider	Schoeller	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Tilley	Viebrock	Wasson	Wells
Wilson 119	Wilson 130	Witte	Wood	Yates

PRESENT: 001

Threlkeld

ABSENT WITH LEAVE: 009

Bowman	Chappelle-Nadal	Curls	Johnson	Kingery
Kratky	Kuessner	Nolte	Wildberger	

SB 352 was laid over.

Speaker Pro Tem Bearden resumed the Chair.

BILL CARRYING REQUEST MESSAGE

CCS SS SCS HCS HB 327, relating to job development, was taken up by Representative Richard.

Representative Richard moved that the House recede from its position on the third reading and passage of **CCS SS SCS HCS HB 327**.

Which motion was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 012

Bringer	Burnett	Daus	Harris 110	Low 39
McClanahan	Nasheed	Oxford	Skaggs	Talboy
Vogt	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 009

Casey	Curls	Johnson	Kelly	Kingery
Kratky	Kuessner	Walton	Wildberger	

Representative Richard moved that the House recede from its position on the adoption of **CCR SS SCS HCS HB 327, as amended**.

Which motion was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 012

Bringer	Burnett	Daus	Harris 110	Low 39
McClanahan	Nasheed	Oxford	Skaggs	Talboy
Vogt	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 009

Curls	Johnson	Kelly	Kingery	Kratky
Kuessner	Nolte	Walton	Wildberger	

On motion of Representative Richard, **SS SCS HCS HB 327, as amended**, was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day

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Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 011

Bringer	Daus	Frame	Harris 110	Low 39
McClanahan	Nasheed	Oxford	Talboy	Vogt
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 009

Curls	Johnson	Kelly	Kingery	Kratky
Kuessner	Nolte	Walton	Wildberger	

On motion of Representative Richard, **SS SCS HCS HB 327, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Kelly
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh

May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 010

Bringer	Daus	Frame	Harris 110	Low 39
McClanahan	Nasheed	Oxford	Vogt	Whorton

PRESENT: 000

ABSENT WITH LEAVE: 008

Curls	Johnson	Kingery	Kratky	Kuessner
Nolte	Walton	Wildberger		

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 007

Burnett	Flook	Haywood	Hughes	Lowe 44
May	Muschany			

NOES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Nance	Nasheed	Nieves	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard

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Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 008

Curls	Johnson	Kingery	Kratky	Kuessner
Nolte	Walton	Wildberger		

BILLS IN CONFERENCE

CCR SCS HCS HB 10, relating to appropriations, was taken up by Representative Icet.

Representative St. Onge assumed the Chair.

On motion of Representative Icet, **CCR SCS HCS HB 10** was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 061

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Corcoran	Darrough	Daus

Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hubbard	Hughes	Komo	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Curls	Haywood	Hoskins	Johnson
Kingery	Kratky	Kuessner	Wildberger	

On motion of Representative Icet, **CCS SCS HCS HB 10** was read the third time and passed by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 061

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Corcoran	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hubbard	Hughes	Komo	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton

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Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Curls	Haywood	Hoskins	Johnson
Kingery	Kratky	Kuessner	Wildberger	

Representative St. Onge declared the bill passed.

CCR SCS HCS HB 11, as amended, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 11, as amended**, was adopted by the following vote:

AYES: 091

Avery	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 063

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	El-Amin	Ervin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kraus	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talbot	Todd	Villa
Vogt	Walsh	Whorton	Witte	Wright-Jones
Yaeger	Young	Zimmerman		

PRESENT: 001

Zweifel

ABSENT WITH LEAVE: 008

Brown 50	Curls	Haywood	Johnson	Kingery
Kratky	Kuessner	Wildberger		

On motion of Representative Icet, **CCS SCS HCS HB 11** was read the third time and passed by the following vote:

AYES: 089

Avery	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 064

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	El-Amin	Ervin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kraus	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 002

Robinson Zweifel

ABSENT WITH LEAVE: 008

Brown 50	Curls	Haywood	Johnson	Kingery
Kratky	Kuessner	Wildberger		

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Representative St. Onge declared the bill passed.

CCR SCS HCS HB 12, relating to appropriations, was taken up by Representative Icet.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Icet, **CCR SCS HCS HB 12** was adopted by the following vote:

AYES: 094

Aull	Avery	Bearden	Bivins	Bowman
Brandom	Brown 30	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Faith	Fares	Fisher
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Lembke	Lipke	Loehner
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Young	Mr Speaker	

NOES: 059

Baker 25	Baker 123	Bland	Bringer	Bruns
Burnett	Casey	Chappelle-Nadal	Darrough	Daus
Deeken	Donnelly	El-Amin	Ervin	Fallert
Flook	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hughes	Komo
Kraus	Lampe	LeVota	Liese	Low 39
Lowe 44	Marsh	McClanahan	Meadows	Nasheed
Norr	Oxford	Page	Pratt	Quinn 9
Robinson	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Stream	Talboy	Todd	Vogt	Walton
Yaeger	Yates	Zimmerman	Zweifel	

PRESENT: 002

Corcoran	Walsh
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ABSENT WITH LEAVE: 008

Brown 50	Curls	Haywood	Johnson	Kingery
Kratky	Kuessner	Wildberger		

On motion of Representative Icet, **CCS SCS HCS HB 12** was read the third time and passed by the following vote:

AYES: 093

Aull	Avery	Bearden	Bivins	Bowman
Brandom	Brown 30	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Faith	Fares	Fisher
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kelly	Lembke	Lipke	Loehner
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Rucker	Ruestman	Ruzicka
Sander	Sater	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Young	Mr Speaker		

NOES: 059

Baker 25	Baker 123	Bland	Bringer	Bruns
Burnett	Casey	Chappelle-Nadal	Darrough	Daus
Deeken	Donnelly	El-Amin	Ervin	Fallert
Flook	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hughes	Komo
Kraus	Lampe	LeVota	Liese	Low 39
Lowe 44	Marsh	McClanahan	Meadows	Nasheed
Norr	Oxford	Page	Pratt	Quinn 9
Robinson	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Stream	Talboy	Todd	Vogt	Walton
Yaeger	Yates	Zimmerman	Zweifel	

PRESENT: 002

Corcoran	Walsh
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ABSENT WITH LEAVE: 009

Brown 50	Curls	Haywood	Johnson	Kingery
Kratky	Kuessner	Schaaf	Wildberger	

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 13, relating to appropriations, was taken up by Representative Icet.

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On motion of Representative Icet, **CCR SCS HCS HB 13** was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kelly
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 005

Low 39	Talboy	Vogt	Whorton	Zimmerman
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PRESENT: 001

Corcoran

ABSENT WITH LEAVE: 011

Brown 50	Cooper 120	Curls	Haywood	Johnson
Kingery	Kratky	Kuessner	Stevenson	Walton
Wildberger				

On motion of Representative Icet, **CCS SCS HCS HB 13** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer

Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kelly	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 005

Low 39	Talboy	Vogt	Whorton	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Cooper 120	Curls	Haywood	Johnson
Kingery	Kratky	Kuessner	Stevenson	Walton
Wildberger				

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SCS SBs 62 & 41: Representatives Ruestman, Munzlinger, Cox, Bringer and Robinson

Speaker Pro Tem Bearden resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 17, relating to appropriations, was taken up by Representative Ice.

On motion of Representative Icet, **SCS HCS HB 17** was adopted by the following vote:

AYES: 094

Aull	Avery	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Faith	Fares
Fisher	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Lampe	Lembke
Lipke	Loehner	Marsh	May	McClanahan
Moore	Munzlinger	Nance	Nieves	Nolte
Norr	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 060

Baker 25	Baker 123	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Davis	Donnelly	Ervin	Fallert
Flook	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hughes	Komo
Kraus	LeVota	Liese	Low 39	Lowe 44
McGhee	Meadows	Meiners	Muschany	Nasheed
Oxford	Page	Quinn 9	Robinson	Roorda
Salva	Sander	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Curls	Haywood	Johnson	Kingery
Kratky	Kuessner	Walton	Wildberger	

On motion of Representative Icet, **SCS HCS HB 17** was truly agreed to and finally passed by the following vote:

AYES: 094

Aull	Avery	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Faith	Fares
Fisher	Franz	Funderburk	Grisamore	Guest

Hobbs	Hoskins	Hubbard	Hunter	Ice
Jones 89	Jones 117	Kelly	Lampe	Lembke
Lipke	Loehner	Marsh	May	McClanahan
Moore	Munzlinger	Nance	Nieves	Nolte
Norr	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 060

Baker 25	Baker 123	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Davis	Donnelly	Ervin	Fallert
Flook	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hughes	Komo
Kraus	LeVota	Liese	Low 39	Lowe 44
McGhee	Meadows	Meiners	Muschany	Nasheed
Oxford	Page	Quinn 9	Robinson	Roorda
Salva	Sander	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Curls	Haywood	Johnson	Kingery
Kratky	Kuessner	Walton	Wildberger	

Speaker Pro Tem Bearden declared the bill passed.

SCS HCS HB 18, relating to appropriations, was taken up by Representative Ice.

On motion of Representative Ice, **SCS HCS HB 18** was adopted by the following vote:

AYES: 149

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Kelly
Komo	Kraus	Lampe	Lembke	LeVota

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Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 005

Baker 123	Darrough	Talboy	Vogt	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Curls	Haywood	Johnson	Kingery
Kratky	Kuessner	Walton	Wildberger	

On motion of Representative Icet, **SCS HCS HB 18** was truly agreed to and finally passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kelly
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively

Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 005

Darrough	Donnelly	Talboy	Vogt	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Curls	Haywood	Johnson	Kingery
Kratky	Kuessner	Walton	Wildberger	

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 5 - Fiscal Review (Fiscal Note)
HCS SS SCS SB 85 - Fiscal Review (Fiscal Note)
HCS SB 325 - Fiscal Review (Fiscal Note)
HCS SCS SB 328 - Fiscal Review (Fiscal Note)
HCS SS SCS SB 429 - Fiscal Review (Fiscal Note)
HCS SS SCS SB 577 - Fiscal Review (Fiscal Note)
HCS SB 582 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Judiciary, Chairman Pratt reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HCS SCS SB 163**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 611**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Special Committee on Agri-Business, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-Business, to which was referred **SS SCS SB 225**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 313**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 9**, and has taken up and passed **CCS SCS HCS HB 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 780**, entitled:

An act to repeal sections 41.950, 256.465, 317.001, 317.006, 317.011, 317.013, 317.015, 317.018, 324.520, 324.522, 327.011, 327.111, 327.181, 327.201, 327.291, 327.441, 327.633, 331.010, 334.120, 335.016, 335.036, 335.066, 335.068, 335.076, 335.096, 335.097, 335.212, 336.010, 336.020, 336.030, 336.040, 336.050, 336.060, 336.070, 336.080, 336.090, 336.140, 336.160, 336.200, 336.220, 336.225, 337.600, 337.603, 337.604, 337.606, 337.609, 337.612, 337.615, 337.618, 337.622, 337.624, 337.627, 337.630, 337.636, 337.639, 337.650, 337.653, 337.659, 337.665, 337.668, 337.674, 337.677, 337.680, 337.686, 337.689, 337.700, 337.715, 337.718, 338.220, 339.100, 339.513, 344.020, 344.030, 344.040, 344.050, 344.060, 344.070, 344.080, 344.105, 345.015, 345.030, 345.045, 345.055, 346.015, 346.030, 346.035, 346.055, 346.060, 346.110, 383.130, 383.133, 620.010, and 621.045, RSMo, and to enact in lieu thereof eighty-nine new sections relating to the division of professional registration, with penalty provisions and an effective date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 6, Section 41.950, Line 14 of said page, by inserting after all of said line the following:

"192.632. 1. There is hereby created a "Chronic Kidney Disease Task Force". Unless otherwise stated, members shall be appointed by the director of the department of health and senior services and shall include, but not be limited to, the following members:

- (1) Two physicians appointed from lists submitted by the Missouri State Medical Association;**
- (2) Two nephrologists;**
- (3) Two family physicians;**
- (4) Two pathologists;**
- (5) One member who represents owners or operators of clinical laboratories in the state;**
- (6) One member who represents a private renal care provider;**
- (7) One member who has a chronic kidney disease;**
- (8) One member who represents the state affiliate of the National Kidney Foundation;**
- (9) One member who represents the Missouri Kidney Program;**
- (10) Two members of the house of representatives appointed by the speaker of the house of representatives;**
- (11) Two members of the senate appointed by the president pro tempore of the senate;**
- (12) Additional members may be chosen to represent public health clinics, community health centers, and private health insurers.**

2. A chairperson and a vice-chairperson shall be elected by the members of the task force.

3. The chronic kidney task force shall:

(1) Develop a plan to educate the public and health care professionals about the advantages and methods of early screening, diagnosis, and treatment of chronic kidney disease and its complications based on kidney disease outcomes, quality initiative clinical practice guidelines for chronic kidney disease, or other medically recognized clinical practice guidelines;

(2) Make recommendations on the implementation of a cost-effective plan for early screening, diagnosis, and treatment of chronic kidney disease for the state's population;

(3) **Identify barriers to adoption of best practices and potential public policy options to address such barriers;**

(4) **Submit a report of its findings and recommendations to the general assembly within one year of its first meeting.**

4. The department of health and senior services shall provide all necessary staff, research, and meeting facilities for the chronic kidney disease task force."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 6, Section 41.950, Line 14, by inserting immediately after all of said line the following:

"195.070. 1. A physician, podiatrist, dentist, or a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, RSMo, in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, RSMo, who holds a certificate of controlled substance prescriptive authority from the board of nursing pursuant to section 335.019, RSMo, and who is delegated the authority to prescribe controlled substances under a controlled substance collaborative practice agreement pursuant to section 334.104, RSMo, may prescribe any controlled substances listed in Schedule V of section 195.017, RSMo. However, no such certified advanced practice registered nurse shall ever, under any circumstances, prescribe controlled substance for his or her own self or family.

3. A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and he may cause them to be administered by an assistant or orderly under his direction and supervision.

[3.] **4.** A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug.

[4.] **5.** An individual practitioner may not prescribe or dispense a controlled substance for such practitioner's personal use except in a medical emergency.

195.100. 1. It shall be unlawful to distribute any controlled substance in a commercial container unless such container bears a label containing an identifying symbol for such substance in accordance with federal laws.

2. It shall be unlawful for any manufacturer of any controlled substance to distribute such substance unless the labeling thereof conforms to the requirements of federal law and contains the identifying symbol required in subsection 1 of this section.

3. The label of a controlled substance in Schedule II, III or IV shall, when dispensed to or for a patient, contain a clear, concise warning that it is a criminal offense to transfer such narcotic or dangerous drug to any person other than the patient.

4. Whenever a manufacturer sells or dispenses a controlled substance and whenever a wholesaler sells or dispenses a controlled substance in a package prepared by him, he shall securely affix to each package in which that drug is contained, a label showing in legible English the name and address of the vendor and the quantity, kind, and form of controlled substance contained therein. No person except a pharmacist for the purpose of filling a prescription under sections 195.005 to 195.425, shall alter, deface, or remove any label so affixed.

5. Whenever a pharmacist or practitioner sells or dispenses any controlled substance on a prescription issued by a physician, dentist, podiatrist [or] veterinarian, **or advanced practice registered nurse**, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name and address of the pharmacy or practitioner for whom he is lawfully acting; the name of the patient or, if the patient is an animal, the name of the owner of the animal and the species of the animal; the name of the physician, dentist, podiatrist [or] , veterinarian, **or advanced practice registered nurse** by whom the prescription was written; **the name of the collaborating physician if the prescription is written by an advanced practice registered nurse**, and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed."; and

Further amend said bill, Page 38, Section 331.010, Line 17 of said page, by inserting immediately after said line the following:

"334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice nurse as defined in subdivision (2) of section 335.016, RSMo. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. Controlled substance collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, RSMo, the authority to administer, dispense, or prescribe controlled substances listed in Schedule V of section 195.017, RSMo. Such controlled substance collaborative practice agreements shall be in writing and shall also set forth provisions for the type of collaboration between the advanced practice registered nurse and the collaborating physician.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036, RSMo, may jointly promulgate rules regulating the use of collaborative practice arrangements **and controlled substance collaborative practice arrangements**. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements **including collaborative practice arrangements delegating the authority to prescribe controlled substances**. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197, RSMo.

[4.] 5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

[5.] 6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, **including collaborative practice arrangements delegating the authority to prescribe controlled substances**, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

[6.] 7. Notwithstanding anything to the contrary in this section, a registered nurse who has graduated from a school of nurse anesthesia accredited by the Council on Accreditation of Educational Programs of Nurse Anesthesia or

its predecessor and has been certified or is eligible for certification as a nurse anesthetist by the Council on Certification of Nurse Anesthetists shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed."; and

Further amend said bill, Pages 40-43, Section 335.016, by striking all of said section and inserting in lieu thereof the following:

"335.016. As used in this chapter, unless the context clearly requires otherwise, the following words and terms mean:

(1) "Accredited", the official authorization or status granted by an agency for a program through a voluntary process;

(2) "Advanced practice **registered** nurse", a nurse who has [had] education beyond the basic nursing education and is certified by a nationally recognized professional organization as [having a nursing specialty, or who meets criteria for advanced practice nurses established by the board of nursing. The board of nursing may promulgate rules specifying which professional nursing organization certifications are to be recognized as advanced practice nurses, and may set standards for education, training and experience required for those without such specialty certification to become advanced practice nurses.] **an advanced registered nurse practitioner, certified nurse midwife, certified registered nurse anesthetist, or a certified clinical nurse specialist. The board shall have the authority to approve any nationally recognized professional organization for the purposes of this section.** Advanced practice nurses and only such individuals may use the title "Advanced Practice Registered Nurse" and the abbreviation "APRN";

(3) **"Advanced registered nurse practitioner", a registered nurse who is currently certified as a nurse practitioner by a nationally recognized certifying body approved by the board of nursing;**

(4) "Approval", official recognition of nursing education programs which meet standards established by the board of nursing;

[(4)] (5) "Board" or "state board", the state board of nursing;

(6) **"Certified clinical nurse specialist", a registered nurse who is currently certified as a clinical nurse specialist by a nationally recognized certifying board approved by the board of nursing;**

(7) **"Certified nurse midwife", a registered nurse who is currently certified as a nurse midwife by the American College of Nurse Midwives, or other nationally recognized certifying body approved by the board of nursing;**

(8) **"Certified registered nurse anesthetist", a registered nurse who is currently certified as a nurse anesthetist by the Council on Certification of Nurse Anesthetists, the Council on Recertification of Nurse Anesthetists, or other nationally recognized certifying body approved by the board of nursing;**

[(5)] (9) "Executive director", a qualified individual employed by the board as executive secretary or otherwise to administer the provisions of this chapter under the board's direction. Such person employed as executive director shall not be a member of the board;

[(6)] (10) "Inactive nurse", as defined by rule pursuant to section 335.061;

[(7) A] (11) **"Lapsed license status", as defined by rule under section 335.061;**

(12) "Licensed practical nurse" or "practical nurse", a person licensed pursuant to the provisions of this chapter to engage in the practice of practical nursing;

[(8)] (13) "Licensure", the issuing of a license to practice professional or practical nursing to candidates who have met the specified requirements and the recording of the names of those persons as holders of a license to practice professional or practical nursing;

[(9)] (14) "Practical nursing", the performance for compensation of selected acts for the promotion of health and in the care of persons who are ill, injured, or experiencing alterations in normal health processes. Such performance requires substantial specialized skill, judgment and knowledge. All such nursing care shall be given under the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse. For the purposes of this chapter, the term "direction" shall mean guidance or supervision provided by a person licensed by a state regulatory board to prescribe medications and treatments or a registered professional nurse, including, but not limited to, oral, written, or otherwise communicated orders or directives for patient care. When practical nursing care is delivered pursuant to the direction of a person licensed by a state regulatory board to prescribe medications and treatments or under the direction of a registered professional nurse, such care may be delivered by a licensed practical nurse without direct physical oversight;

[(10)] **(15)** "Professional nursing", the performance for compensation of any act which requires substantial specialized education, judgment and skill based on knowledge and application of principles derived from the biological, physical, social and nursing sciences, including, but not limited to:

- (a) Responsibility for the teaching of health care and the prevention of illness to the patient and his or her family;
- (b) Assessment, nursing diagnosis, nursing care, and counsel of persons who are ill, injured or experiencing alterations in normal health processes;
- (c) The administration of medications and treatments as prescribed by a person licensed by a state regulatory board to prescribe medications and treatments;
- (d) The coordination and assistance in the delivery of a plan of health care with all members of a health team;
- (e) The teaching and supervision of other persons in the performance of any of the foregoing;

[(11) A] **(16)** "Registered professional nurse" or "registered nurse", a person licensed pursuant to the provisions of this chapter to engage in the practice of professional nursing;

(17) "Retired license status", any person licensed in this state under this chapter who retires from such practice. Such person shall file with the board an affidavit, on a form to be furnished by the board, which states the date on which the licensee retired from such practice, an intent to retire from the practice for at least two years, and such other facts as tend to verify the retirement as the board may deem necessary; but if the licensee thereafter reengages in the practice, the licensee shall renew his or her license with the board as provided by this chapter and by rule and regulation.

335.019. The board of nursing may grant a certificate of controlled substance prescriptive authority to an advanced practice nurse who:

- (1) Submits proof of successful completion of an advanced pharmacology course that shall include preceptorial experience in the prescription of drugs, medicines and therapeutic devices; and**
- (2) Provides documentation of a minimum of three hundred clock hours preceptorial experience in the prescription of drugs, medicines, and therapeutic devices with a qualified preceptor; and**
- (3) Has a controlled substance prescribing authority delegated in the collaborative practice agreement pursuant to section 334.104, RSMo, with a physician who has an unrestricted federal Drug Enforcement Administration registration number and who is actively engaged in a practice comparable in scope, specialty, or expertise to that of the advanced practice registered nurse."; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 27, Section 324.523, Line 22, by inserting after all of said line the following:

"324.1100. As used in sections 324.1100 to 324.1148, the following terms mean:

- (1) "Board", the board of private investigator examiners established in section 324.1102;**
- (2) "Client", any person who engages the services of a private investigator;**
- (3) "Department", the department of insurance, financial institutions and professional registration;**
- (4) "Law enforcement officer", a law enforcement officer as defined in section 556.061, RSMo;**
- (5) "Organization", a corporation, trust, estate, partnership, cooperative, or association;**
- (6) "Person", an individual or organization;**
- (7) "Private investigator", any person who receives any consideration, either directly or indirectly, for engaging in the private investigator business;**
- (8) "Private investigator agency", a person who regularly employs any other person, other than an organization, to engage in the private investigator business;**
- (9) "Private investigator business", the furnishing of, making of, or agreeing to make, any investigation for the purpose of obtaining information pertaining to:**
 - (a) Crimes or wrongs done or threatened against the United States or any state or territory of the United States;**

- (b) The identity, habits, conduct, business, occupation, honesty, integrity, credibility, knowledge, trustworthiness, efficiency, loyalty, activity, movement, whereabouts, affiliations, associations, transactions, acts, reputation, or character of any person;
- (c) The location, disposition, or recovery of lost or stolen property;
- (d) Securing evidence to be used before any court, board, officer, or investigating committee;
- (e) Sale of personal identification information to the public; or
- (f) The cause of responsibility for libel, losses, accident, or damage or injury to persons or property or protection of life or property.

324.1102. 1. The "Board of Private Investigator Examiners" is hereby created within the division of professional registration. The board shall be a body corporate and may sue and be sued.

2. The board shall be composed of five members, including two public members, appointed by the governor with the advice and consent of the senate. Except for the public members, each member of the board shall be a citizen of the United States, a resident of Missouri, at least thirty years of age, and shall have been actively engaged in the private investigator business for the previous five years. No more than one private investigator board member may be employed by, or affiliated with, the same private investigator agency. The initial private investigator board members shall not be required to be licensed but shall obtain a license within one hundred eighty days after the effective date of the rules promulgated under sections 324.1100 to 324.1148 regarding licensure. The public members shall each be a registered voter and a person who is not and never was a member of any profession licensed or regulated under sections 324.1100 to 324.1148 or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by sections 324.1100 to 324.1148, or an activity or organization directly related to any profession licensed or regulated under sections 324.1100 to 324.1148. The duties of the public members shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure.

3. The members shall be appointed for terms of two years, except those first appointed, in which case two members, who shall be private investigators, shall be appointed for terms of four years, two members shall be appointed for terms of three years, and one member shall be appointed for a one-year term. Any vacancy on the board shall be filled for the unexpired term of the member and in the manner as the first appointment. No member may serve consecutive terms.

4. The members of the board may receive compensation, as determined by the director for their services, if appropriate, and shall be reimbursed for actual and necessary expenses incurred in performing their official duties on the board.

5. There is hereby created in the state treasury the "Board of Private Investigator Examiners Fund", which shall consist of money collected under sections 324.1100 to 324.1148. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with the provisions of sections 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be used solely for the administration of sections 324.1100 to 324.1148. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

324.1104. Unless expressly exempted from the provisions of sections 324.1100 to 324.1148:

- (1) It shall be unlawful for any person to engage in the private investigator business in this state unless such person is licensed as a private investigator under sections 324.1100 to 324.1148;
- (2) It shall be unlawful for any person to engage in business in this state as a private investigator agency unless such person is licensed under sections 324.1100 to 324.1148.

324.1106. The following persons shall not be deemed to be engaging in the private investigator business:

- (1) A person employed exclusively and regularly by one employer in connection only with the affairs of such employer and where there exists an employer-employee relationship;
- (2) Any officer or employee of the United States, or of this state or a political subdivision thereof while engaged in the performance of the officer's or employee's official duties;

(3) Any employee, agent, or independent contractor employed by any government agency, division, or department of the state whose work relationship is established by a written contract while working within the scope of employment established under such contract;

(4) An attorney performing duties as an attorney, or an attorney's paralegal or employee retained by such attorney assisting in the performance of such duties or investigation on behalf of such attorney;

(5) A collection agency or an employee thereof while acting within the scope of employment, while making an investigation incidental to the business of the agency, including an investigation of the location of a debtor or a debtor's property where the contract with an assignor creditor is for the collection of claims owed or due, or asserted to be owed or due, or the equivalent thereof;

(6) Insurers and insurance producers licensed by the state, performing duties in connection with insurance transacted by them;

(7) Any bank subject to the jurisdiction of the director of the division of finance of the state of Missouri or the comptroller of currency of the United States;

(8) An insurance adjuster. For the purposes of sections 324.1100 to 324.1148, an "insurance adjuster" means any person who receives any consideration, either directly or indirectly, for adjusting in the disposal of any claim under or in connection with a policy of insurance or engaging in soliciting insurance adjustment business;

(9) Any private fire investigator whose primary purpose of employment is the determination of the origin, nature, cause, or calculation of losses relevant to a fire;

(10) Employees of a not-for-profit organization or its affiliate or subsidiary, whether for-profit or not-for-profit, whose investigatory activities are limited to making and processing requests for criminal history records and other background information from state, federal, or local databases, including requests for employee background check information under section 660.317, RSMo;

(11) Any real estate broker, real estate salesperson, or real estate appraiser acting within the scope of his or her license;

(12) Expert witnesses who have been certified or accredited by a national or state association associated with the expert's scope of expertise;

(13) Any person who does not hold themselves out to the public as a private investigator but is under contract with a state agency or political subdivision; or

(14) Any person performing duties or conducting investigations relating to serving legal process when such person's investigation is incidental to the serving of legal process.

324.1108. 1. Every person desiring to be licensed in this state as a private investigator or private investigator agency shall make application therefor to the board of private investigator examiners. An application for a license under the provisions of sections 324.1100 to 324.1148 shall be on a form prescribed by the board of private investigator examiners and accompanied by the required application fee. An application shall be verified and shall include:

- (1) The full name and business address of the applicant;
- (2) The name under which the applicant intends to conduct business;
- (3) A statement as to the general nature of the business in which the applicant intends to engage;
- (4) A statement as to the classification or classifications under which the applicant desires to be qualified;
- (5) Two recent photographs of the applicant, of a type prescribed by the board of private investigator examiners, and two classifiable sets of the applicant's fingerprints processed in a manner approved by the Missouri state highway patrol, criminal records and identification division, under section 43.543, RSMo;
- (6) A verified statement of the applicant's experience qualifications; and
- (7) Such other information, evidence, statements, or documents as may be required by the board of private investigator examiners.

2. Before an application for a license may be granted, the applicant shall:

- (1) Be at least twenty-one years of age;
- (2) Be a citizen of the United States;
- (3) Provide proof of liability insurance with amount to be no less than two hundred fifty thousand dollars in coverage and proof of workers' compensation insurance if required under chapter 287, RSMo. The board shall have the authority to raise the requirements as deemed necessary; and
- (4) Comply with such other qualifications as the board adopts by rules and regulations.

324.1110. 1. The board of private investigator examiners shall require as a condition of licensure as a private investigator that the applicant pass a written examination as evidence of knowledge of investigator rules and regulations.

2. The department shall conduct a complete investigation of the background of each applicant for licensure as a private investigator to determine whether the applicant is qualified for licensure under sections 324.1100 to 324.1148. The board will outline basic qualification requirements for licensing as a private investigator and agency.

3. In the event requirements have been met so that testing has been waived, qualification shall be dependent on a showing of, for the two previous years:

- (1) Registration and good standing as a business in this state; and**
- (2) Two hundred fifty thousand dollars in business general liability insurance.**

4. The board may review applicants seeking reciprocity. An applicant seeking reciprocity shall have undergone a licensing procedure similar to that required by this state and shall meet this state's minimum insurance requirements.

324.1112. The board of private investigator examiners may deny a request for a license if the applicant:

(1) Has committed any act which, if committed by a licensee, would be grounds for the suspension or revocation of a license under the provisions of sections 324.1100 to 324.1148;

(2) Within two years prior to the application date:

(a) Has been convicted of or entered a plea of guilty or nolo contendere to a felony offense, including the receiving of a suspended imposition of sentence following a plea or finding of guilty to a felony offense;

(b) Has been convicted of or entered a plea of guilty or nolo contendere to a misdemeanor offense involving moral turpitude;

(c) Has falsified or willfully misrepresented information in an employment application, records of evidence, or in testimony under oath;

(d) Has been dependent on or abused alcohol or drugs; or

(e) Has used, possessed, or trafficked in any illegal substance;

(3) Has been refused a license under the provisions of sections 324.1100 to 324.1148 or had a license revoked in this state or in any other state;

(4) While unlicensed, committed or aided and abetted the commission of any act for which a license is required by sections 324.1100 to 324.1148 after the effective date of this section; or

(5) Knowingly made any false statement in the application.

324.1114. 1. Every application submitted under the provisions of sections 324.1100 to 324.1148 shall be accompanied by a fee as determined by the board as follows:

(1) For an individual license, agency license and employees being licensed to work under an agency license; or

(2) If a license is issued for a period of less than one year, the fee shall be prorated for the months, or fraction thereof, for which the license is issued.

2. The board shall set fees as authorized by sections 324.1100 to 324.1148 at a level to produce revenue which will not substantially exceed the cost and expense of administering sections 324.1100 to 324.1148.

3. The fees prescribed by sections 324.1100 to 324.1148 shall be exclusive and notwithstanding any other provision of law. No municipality may require any person licensed under sections 324.1100 to 324.1148 to furnish any bond, pass any examination, or pay any license fee or occupational tax relative to practicing the person's profession.

4. A private investigator license shall allow only the individual licensed by the state to conduct investigations. An agency license shall be applied for separately and held by an individual who is licensed as a private investigator. The agency may hire individuals to work for the agency conducting investigations for the agency only. Persons hired shall make application as determined by the board and meet all requirements set forth by the board except that they shall not be required to meet any experience requirements and shall be allowed to begin working immediately upon the agency submitting their applications.

324.1116. A private investigator agency shall not hire any individual as an employee unless the individual:

- (1) Is at least twenty-one years of age;
- (2) Provides two recent photographs of themselves, of a type prescribed by the board of private investigator examiners;
- (3) Has been fingerprinted in a manner approved by the Missouri state highway patrol, criminal records and identification division, under section 43.543, RSMo; and
- (4) Complies with any other qualifications and requirements the board adopts by rule.

324.1118. A private investigator agency shall not hire an individual, who is not licensed as a private investigator, as an employee if the individual:

- (1) Has committed any act which, if committed by a licensee, would be grounds for the suspension or revocation of a license under the provisions of sections 324.1100 to 324.1148;
- (2) Within two years prior to the hiring date:
 - (a) Has been convicted of or entered a plea of guilty or nolo contendere to a felony offense, including the receiving of a suspended imposition of sentence following a plea or finding of guilty to a felony offense;
 - (b) Has been convicted of or entered a plea of guilty or nolo contendere to a misdemeanor offense involving moral turpitude;
 - (c) Has falsified or willfully misrepresented information in an employment application, records of evidence, or in testimony under oath;
 - (d) Has been dependent on or abused alcohol or drugs; or
 - (e) Has used, possessed, or trafficked in any illegal substance;
- (3) Has been refused a license under the provisions of sections 324.1100 to 324.1148 or had a license revoked in this state or in any other state;
- (4) While unlicensed, committed or aided and abetted the commission of any act for which a license is required by sections 324.1100 to 324.1148 after the effective date of this section; or
- (5) Knowingly made any false statement in the application.

324.1120. An individual, who is not licensed as a private investigator, hired as an employee by a private investigator agency shall work only under the direct supervision of the agency whose identification number appears on their application and shall work only for one agency at any one time.

324.1122. A licensee shall successfully complete sixteen hours of continuing education units biennially. An individual not licensed as a private investigator who is hired as an employee by a private investigator agency shall successfully complete eight hours of continuing education units biennially. Such continuing education shall be relevant to the private investigator business and shall be approved by the board as such.

324.1124. 1. The board of private investigator examiners shall determine the form of the license which shall include the:

- (1) Name of the licensee;
- (2) Name under which the licensee is to operate; and
- (3) Number and date of the license.

2. The license shall be posted at all times in a conspicuous place in the principal place of business of the licensee. Upon the issuance of a license, a pocket card of such size, design, and content as determined by the division shall be issued without charge to each licensee. Such card shall be evidence that the licensee is licensed under sections 324.1100 to 324.1148. When any person to whom a card is issued terminates such person's position, office, or association with the licensee, the card shall be surrendered to the licensee and within five days thereafter shall be mailed or delivered by the licensee to the board of private investigator examiners for cancellation. Within thirty days after any change of address, a licensee shall notify the board of the address change. The principal place of business may be at a residence or at a business address, but it shall be the place at which the licensee maintains a permanent office.

324.1126. 1. Any license issued under sections 324.1100 to 324.1148 shall expire two years after the date of its issuance. Renewal of any such license shall be made in the manner prescribed for obtaining an original license, including payment of the appropriate fee, except that:

- (1) The application upon renewal need only provide information required of original applicants if the information shown on the original application or any renewal thereof on file with the board is no longer accurate;
- (2) A new photograph shall be submitted with the application for renewal only if the photograph on file with the board has been on file more than two years; and
- (3) The applicant does not have to be tested again but must instead provide proof that the applicant successfully completed sixteen hours of continuing education credits; and
- (4) Additional information may be required by rules and regulations adopted by the board of private investigator examiners.

2. A licensee shall at all times be legally responsible for the good conduct of each of the licensee's employees or agents while engaged in the business of the licensee and the licensee is legally responsible for any acts committed by such licensee's employees or agents which are in violation of sections 324.1100 to 324.1148. A person receiving an agency license shall directly manage the agency and employees.

3. A license issued under sections 324.1100 to 324.1148 shall not be assignable.

324.1128. 1. Any licensee may divulge to the board, any law enforcement officer, prosecuting attorney, or such person's representative any information such person may acquire about any criminal offense. The licensee may instruct his or her client to divulge such information if the client is the victim, but such person shall not divulge to any other person, except as he or she may be required by law, any information acquired by such person at the direction of the employer or client for whom the information was obtained.

2. No licensee officer, director, partner, associate, or employee thereof shall:

- (1) Knowingly make any false report to his or her employer or client for whom information was being obtained;
 - (2) Cause any written report to be submitted to a client except by the licensee, and the person submitting the report shall exercise diligence in ascertaining whether or not the facts and information in such report are true and correct;
 - (3) Use a title, wear a uniform, use an insignia or an identification card, or make any statement with the intent to give an impression that such person is connected in any way with the federal government, a state government, or any political subdivision of a state government;
 - (4) Appear as an assignee party in any proceeding involving claim and delivery, replevin or other possessory action, action to foreclose a chattel mortgage, mechanic's lien, materialman's lien, or any other lien;
 - (5) Manufacture false evidence; or
 - (6) Create any video recording of an individual in their domicile without the individual's permission.
- Furthermore, if such video recording is made, it shall not be admissible as evidence in any civil proceeding.

324.1130. Each licensee shall maintain a record containing such information relative to the licensee's employees as may be prescribed by the board of private investigator examiners. Such licensee shall file with the board the complete address of the location of the licensee's principal place of business. The board may require the filing of other information for the purpose of identifying such principal place of business.

324.1132. Every advertisement by a licensee soliciting or advertising business shall contain the licensee's name, city, and state as it appears in the records of the board of private investigator examiners. No individual or business can advertise as a private investigator, private detective, or private investigator agency without including their state private investigator or private investigator agency license number in the advertisement. A licensee shall not advertise or conduct business from any Missouri address other than that shown on the records of the board as the licensee's principal place of business unless the licensee has received an additional agency license for such location after compliance with the provisions of sections 324.1100 to 324.1148 and such additional requirements necessary for the protection of the public as the board may prescribe by regulation. A licensee shall notify the board in writing within ten days after closing or changing the location of a branch office. The fee for the additional license shall be one-half the cost of the fee for the agency's original license.

324.1134. 1. The board may suspend or refuse to renew any certificate of registration or authority, permit or license required under sections 324.1100 to 324.1148 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the suspension or refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing

commission as provided by chapter 621, RSMo. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license which is subject to probation, restriction or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

- (1) Making any false statement or given any false information in connection with an application for a license or a renewal or reinstatement thereof;
- (2) Violating any provision of sections 324.1100 to 324.1148;
- (3) Violating any rule of the board of private investigator examiners adopted under the authority contained in sections 324.1100 to 324.1148;
- (4) Impersonating, or permitting or aiding and abetting an employee to impersonate, a law enforcement officer or employee of the United States of America, or of any state or political subdivision thereof;
- (5) Committing, or permitting any employee to commit any act, while the license was expired, which would be cause for the suspension or revocation of a license, or grounds for the denial of an application for a license;
- (6) Knowingly violating, or advising, encouraging, or assisting the violation of, any court order or injunction in the course of business as a licensee;
- (7) Using any letterhead, advertisement, or other printed matter, or in any manner whatever represented that such person is an instrumentality of the federal government, a state, or any political subdivision thereof;
- (8) Using a name different from that under which such person is currently licensed in any advertisement, solicitation, or contract for business; or
- (9) Committing any act which is grounds for denial of an application for a license under section 324.1112.

3. The record of conviction, or a certified copy thereof, shall be conclusive evidence of such conviction, and a plea or verdict of guilty is deemed to be a conviction within the meaning thereof.

4. The agency may continue under the direction of another employee if the licensee's license is suspended or revoked by the board. The board shall establish a time frame in which the agency shall identify an acceptable person who is qualified to assume control of the agency, as required by the board.

5. After the filing of a complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds in subsection 1 of this section for disciplinary action are met, the board may singly or in combination censure or place the person named in the complaint on probation under such terms and conditions as the board deems appropriate for a period not to exceed five years, may suspend for a period not to exceed three years, or revoke the license.

324.1136. 1. Each private investigator or investigator agency operating under the provisions of sections 324.1100 to 324.1148 shall be required to keep a complete record of the business transactions of such investigator or investigator agency for a period of seven years. Upon the service of a court order issued by a court of competent jurisdiction or upon the service of a subpoena issued by the board that is based on a complaint supported by oath or affirmation, which particularly describes the records and reports, any licensed private investigator who is the owner, partner, director, corporate officer, or custodian of business records shall provide an opportunity for the inspection of the same and to inspect reports made. Any information obtained by the board shall be kept confidential, except as may be necessary to commence and prosecute any legal proceedings. The board shall not personally enter a licensee's place of business to inspect records, but shall utilize an employee

of the division of professional registration to act as a gatherer of information and facts to present to the board regarding any complaint or inspection under investigation.

2. For the purpose of enforcing the provisions of sections 324.1100 to 324.1148, and in making investigations relating to any violation thereof, the board shall have the power to subpoena and bring before the board any person in this state and require the production of any books, records, or papers which the board deems relevant to the inquiry. The board also may administer an oath to and take the testimony of any person, or cause such person's deposition to be taken, except that any applicant or licensee or officer, director, partner, or associate thereof shall not be entitled to any fees or mileage. A subpoena issued under this section shall be governed by the Missouri rules of civil procedure and shall comply with any confidentiality standards or legal limitations imposed by privacy or open records acts, fair credit reporting acts, polygraph acts, driver privacy protection acts, judicially recognized privileged communications, and the bill of rights of both the United States and Missouri Constitutions. Any person duly subpoenaed who fails to obey such subpoena without reasonable cause, or without such cause refuses to be examined or to answer any legal or pertinent question as to the character or qualification of such applicant or licensee or such applicant's alleged unlawful or deceptive practices or methods, shall be guilty of a class A misdemeanor. The testimony of witnesses in any investigative proceeding shall be under oath.

324.1138. 1. The board shall adopt such rules and regulations as may be necessary to carry out the provisions of sections 324.1100 to 324.1148.

2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 324.1100 to 324.1148 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

324.1140. 1. The board of private investigator examiners shall certify persons who are qualified to train private investigators.

2. In order to be certified as a trainer under this section, a trainer shall:

- (1) Be twenty-one or more years of age;
- (2) Have a minimum of one-year supervisory experience with a private investigator agency; and
- (3) Be personally licensed as a private investigator under sections 324.1100 to 324.1148 and qualified to train private investigators.

3. Persons wishing to become certified trainers shall make application to the board of private investigator examiners on a form prescribed by the board and accompanied by a fee determined by the board. The application shall contain a statement of the plan of operation of the training offered by the applicant and the materials and aids to be used and any other information required by the board.

4. A certificate shall be granted to a trainer if the board finds that the applicant:

- (1) Meets the requirements of subsection 2 of this section;
- (2) Has sufficient knowledge of private investigator business in order to train private investigators sufficiently;
- (3) Has supplied all required information to the board; and
- (4) Has paid the required fee.

5. The certificate issued under this section shall expire on the third year after the year in which it is issued and shall be renewable triennially upon application and payment of a fee.

324.1142. Any person who knowingly falsifies the fingerprints or photographs or other information required to be submitted under sections 324.1100 to 324.1148 is guilty of a class D felony; and any person who violates any of the other provisions of sections 324.1100 to 324.1148 is guilty of a class A misdemeanor.

324.1144. The board may negotiate and enter into reciprocal agreements with appropriate officials in other states to permit licensed private investigator agencies and licensed private investigators who meet or exceed the qualifications established in sections 324.1100 to 324.1148 to operate across state lines under mutually acceptable terms.

324.1146. Law enforcement officers who perform private investigations shall be licensed under this chapter subject to the following qualifications and limitations:

- (1) The board may waive testing for law enforcement officers currently certified under existing peace officer standards and training requirements under chapter 590, RSMo;**
- (2) Law enforcement officers shall pay the appropriate licensing fees;**
- (3) Law enforcement officers shall assume individual liability for their actions while performing private investigations, complying with any insurance or bonding requirements imposed under sections 324.1100 to 324.1148;**
- (4) Law enforcement officers shall not utilize their official capacity in the course of a private investigation, including but not limited to:**
 - (a) Accessing information intended only for police officials. Law enforcement officers shall comply with the legal limits on access to the information of private citizens;**
 - (b) Utilizing any official item, such as a uniform, badge, or vehicle, while performing a private investigation. Law enforcement officers shall provide their own equipment;**
 - (c) Utilizing law enforcement officer arrest and use of force standards. Law enforcement officers shall use private citizen arrest and use of force standards while operating as a private investigator;**
- (5) Law enforcement officers shall produce evidence of training and experience concerning the legal limits imposed on private investigations or pass a test on such subject produced by the board; and**
- (6) The provisions of sections 324.1100 to 324.1148 shall not apply to law enforcement officers who provide only private security services and not private investigator services.**

324.1148. Any person who violates sections 324.1100 to 324.1148 is guilty of a class A misdemeanor. Any second or subsequent violation of sections 324.1100 to 324.1148 is a class D felony."; and

Further amend said bill, Page 172, Section 621.045, Line 5, by inserting after all of said line the following:

"Board of Private Investigator Examiners"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 109, Section 338.220, Lines 1-5 of said page, by striking all of said lines and inserting in lieu thereof the following:

"5. Notwithstanding any other law to the contrary, the provisions of this section shall not apply to the sale, dispensing or filling of a pharmaceutical product or drug used for treating animals."

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 157, Section 383.133, Line 10, by inserting immediately after said line the following:

"407.309. 1. As used in this section, the following terms mean:

- (1) "Performing group", a vocal or instrumental group seeking to use the name of another group that has previously released a commercial sound recording under that name;**
- (2) "Recording group", a vocal or instrumental group at least one of whose members has previously released a commercial sound recording under that group's name and in which the member or members have a legal right by virtue of use or operation under the group name without having abandoned the name or affiliation with the group;**
- (3) "Sound recording", a work that results from the fixation on a material object of a series of musical, spoken, or other sounds regardless of the nature of the material object, such as a disk, tape, or other phono-record, in which the sounds are embodied.**

2. It shall be unlawful for any person to advertise or conduct a live musical performance or production in this state through the use of a false, deceptive, or misleading affiliation, connection, or association between the performing group and the recording group. This section shall not apply if:

(1) The performing group is the authorized registrant and owner of a federal service mark for that group registered in the United States Patent and Trademark Office;

(2) At least one member of the performing group was a member of the recording group and has a legal right by virtue of use or operation under the group name without having abandoned the name or affiliation with the group;

(3) The live musical performance or production is identified in all advertising and promotion as a salute or tribute;

(4) The advertising does not relate to a live musical performance or production taking place in this state; or

(5) The performance or production is expressly authorized by the recording group.

3. Whenever the attorney general has reason to believe that any person is advertising or conducting or is about to advertise or conduct a live musical performance or production in violation of this section and that proceedings would be in the public interest, the attorney general may bring an action against the person to restrain by temporary or permanent injunction that practice.

4. Whenever any court issues a permanent injunction to restrain and prevent violations of this section as authorized in subsection 3 of this section, the court may in its discretion direct that the defendant restore to any person in interest any moneys or property, real or personal, which may have been acquired by means of any violation of this section, under terms and conditions to be established by the court.

5. Notwithstanding the provisions of section 407.100 to the contrary, any person who violates this section shall be assessed a civil penalty of not less than five thousand dollars nor more than fifteen thousand dollars per violation, which civil penalty shall be in addition to any other relief which may be granted under subsection 4 of this section. Each performance or production declared unlawful by this section shall constitute a separate violation."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 8, Section 317.001, Line 27, by striking the opening bracket on said line; and

Further amend said section and page, Line 28, by inserting after the second use of "a", the following:

"boxing"; and

Further amend said section, Page 9, Line 4, by striking the closing bracket on said line; and

Further amend said section, Page 11, Line 4, by striking the opening bracket; and

Further amend said section and page, Line 5, by inserting after the second use of "a", the following:

"boxing"; and

Further amend said section, page, Line 8, by striking the closing bracket; and

Further renumber the remaining subdivisions accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, Page 58, Section 335.076, Lines 8-10 of said page, by striking all of said lines and inserting in lieu thereof the following:

"under this chapter.

6. Nothing in this chapter shall prohibit a person listed as a Christian Science nurse in the Christian Science Journal published by the Christian Science Publishing Society, Houston, Massachusetts, from using the title "Christian Science nurse", so long as such person provides religious nonmedical services when offering or providing services to a member of his or her own religious organization and does not hold himself or herself out as a registered nurse, advanced practice registered nurse, nurse practitioner, licensed practical nurse, nurse midwife, clinical nurse specialist or nurse anesthetists, unless otherwise authorized by law to do so.

7. Notwithstanding any law to the contrary, caregivers referenced in section 334.260, RSMo, licensed in other states may provide services as defined in 46 U.S.C. 1396r-6(E)(ii)(i).".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SBs 62 & 41, as amended**: Senators Goodman, Vogel, Rupp, Justus and Barnitz.

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE BILL NO. 406**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Bill No. 406, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1, as amended, House Amendment Nos. 2, 4, 5, and 6, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 7, and House Substitute Amendment No. 1 for House Amendment No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Bill No. 406, as amended;
2. That the Senate recede from its position on Senate Bill No. 406;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Bill No. 406 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jason Crowell
/s/ Scott Rupp
/s/ Delbert Scott
/s/ Harry Kennedy
/s/ Jeff Smith

FOR THE HOUSE:

/s/ Maynard Wallace
/s/ Danielle Moore
/s/ Sara Lampe
/s/ James Viebrock
/s/ Patricia Yaeger

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 64**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, with House Amendment No. 3, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4, House Substitute Amendment No. 4, as amended, and House Substitute Amendment No. 1 for House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 64;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Charles Shields
/s/ Robert Mayer
/s/ Jeff Smith

FOR THE HOUSE:

/s/ Maynard Wallace
/s/ Jane Cunningham
/s/ Scott Muschany
/s/ Joe Aull

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 488**

The Conference Committee appointed on House Bill No. 488, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Bill No. 488, as amended;
2. That the House recede from its position on House Bill No. 488;
3. That the attached Conference Committee Substitute for House Bill No. 488, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jay Wasson
/s/ Ron Richard
/s/ Mike Parson
/s/ Michael Corcoran
/s/ Tim Meadows

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Dan Clemens
/s/ Victor Callahan
/s/ Wes Shoemyer

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 416**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 416, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 416;
2. That the Senate recede from its position on Senate Bill No. 416;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 416, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Kevin Engler
/s/ Chris Koster
/s/ Victor Callahan
/s/ Joan Bray

FOR THE HOUSE:

/s/ Bryan Pratt
/s/ Tim Flook
/s/ William Kraus

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, May 11, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Brian Baker, District 123, hereby state and affirm that my vote as recorded on Page 1672 of the House Journal for May 8, 2007 showing that I voted Aye was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of May 2007.

/s/ Brian Baker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Therese Sander, District 22, hereby state and affirm that my vote as recorded on Page 1676 of the House Journal for May 8, 2007 showing that I voted Aye was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of May 2007.

/s/ Therese Sander
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Monday, May 14, 2007, 12:30 p.m. Senate Committee Room 2.
Public hearings to be held on: HCS SB 84, HCS SCS SB 82

CONFERENCE COMMITTEE NOTICE

Monday, May 14, 2007, 5:00 p.m. Senate Committee Room 1.
Public hearing to be held on: HCS SCS SB 156

FISCAL REVIEW

Friday, May 11, 2007, 11:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Monday, May 14, 2007, 12:00 p.m. Hearing Room 1.
Any bills referred to Fiscal Review Committee.

FISCAL REVIEW

Tuesday, May 15, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Wednesday, May 16, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 17, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 18, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2007, 11:00 a.m. Hearing Room 6.

Quarterly business meeting. Old/New Business.

Some portions of the meeting may be closed pursuant to Section 610.021.

RULES - PURSUANT TO RULE 25(21)(f)

Friday, May 11, 2007, Hearing Room 6 upon afternoon adjournment.

Any bill referred to the Committee on Rules Pursuant to Rule 25(21)(f).

Executive session may follow. AMENDED

HOUSE CALENDAR

SEVENTY-THIRD DAY, FRIDAY, MAY 11, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow

32 HCS HB 490 - Baker (123)
33 HCS HB 508 - Schaaf
34 HCS HB 709 - Dethrow
35 HB 821, HA 1, pending - Onder
36 HCS HB 995 - Hobbs
37 HCS#2 HB 85 - Kraus
38 HCS HB 399 - Walton
39 HCS HB 624 - Wilson (119)
40 HCS#2 HB 752 - Sutherland
41 HCS HB 1000 - Storch
42 HCS HB 1044 - Deeken
43 HCS HB 244 - Wells
44 HCS HB 587 - Tilley
45 HCS HB 628 - Loehner
46 HCS HB 629 - Hunter
47 HCS HB 872 - Cooper (158)
48 HCS HB 913 - Cooper (120)
49 HB 932 - Grill
50 HCS HB 1089 - Stevenson
51 HCS HB 347 - Munzlinger
52 HB 439 - Hunter
53 HCS HB 630 - Schlottach
54 HB 646 - Young
55 HCS HB 919 - Schneider
56 HCS HB 944 - Cooper (120)
57 HCS HB 1264 - Page
58 HCS HB 425 - Pearce
59 HCS HB 429 - Jones (117)
60 HCS HB 716 - Davis
61 HCS HB 95 - Sater
62 HB 479 - Darrough
63 HB 733 - Page
64 HCS HB 769 - Bruns
65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
66 HB 1155 - Wright-Jones
67 HCS HB 442 - Kingery
68 HB 727 - Portwood
69 HB 888 - Grisamore
70 HCS HB 923 - Kratky
71 HB 1251 - Komo
72 HCS HB 331 - Lipke
73 HCS#2 HB 735 - Cooper (158)
74 HCS HB 833 - Wasson
75 HB 1104 - Hughes
76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
77 HCS HB 886 - Schlottach
78 HCS HB 869 - Holsman
79 HB 1052 - Brown (50)
80 HCS HB 1272 - El-Amin
81 HCS HB 1023 - Quinn (7)
82 HCS HB 1108 - Pratt
83 HCS#2 HBs 406 & 726 - Cox
84 HCS HB 968 - Bivins

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda
- 10 HCS HCR 5, (5-08-07, Pages 1618-1619) - Burnett

SENATE BILLS FOR THIRD READING

- 1 SCS SB 91 - St. Onge
- 2 SB 135 - Kingery
- 3 HCS SCS SB 232 - Cooper (158)
- 4 HCS SCS SB 384, as amended, HSA 1 for HA 2, HA 2, pending, E.C. - Daus
- 5 HCS SCS SB 520 - Hunter
- 6 SB 352 - Ruzicka
- 7 HCS SBs 593 & SCS SB 594 - May
- 8 SB 648 - Kelly
- 9 HCS SS SCS SB 320 - Quinn (7)
- 10 SCS SB 418 - Weter
- 11 SB 513 - Wasson
- 12 HCS SB 218 - Deeken
- 13 HCS SS SCS SB 22, E.C. - Schneider (2 hours debate on Third Reading)
- 14 HCS SS SB 112 - Faith
- 15 SB 271 - Pearce
- 16 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 17 HCS SB 315 - Munzlinger
- 18 HCS SCS SB 52, (Fiscal Review 5-07-07), E.C. - St. Onge
(150 minutes debate on Third Reading)
- 19 SB 162 - Deeken
- 20 SB 171 - Wasson
- 21 HCS SCS SB 197 - Yates
- 22 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 23 SS SB 417 - Parson
- 24 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 25 HCS SCS SB 497 - Wilson (119)
- 26 SCS SB 525 - Wasson

- 27 SCS SB 526 - Wasson
- 28 SCS SB 66 - Yates
- 29 HCS SS SCS SB 577, (Fiscal Review 5-10-07), E.C. - Schaaf
(3 hours debate on Third Reading)
- 30 HCS SS SCS SB 5, (Fiscal Review 5-10-07), E.C. - Cox
- 31 HCS SS SCS SB 85, (Fiscal Review 5-10-07) - Dixon
- 32 SS SCS SB 215, HCA 1 - Yates
- 33 HCS SCS SBs 299 & SS SCS SB 616 - Cooper (120)
- 34 HCS SB 323 - Baker (25)
- 35 HCS SB 325, (Fiscal Review 5-10-07) - Yates
- 36 HCS SCS SB 328, (Fiscal Review 5-10-07) - Robb
- 37 HCS SS SCS SB 429, (Fiscal Review 5-10-07) - Stream
(90 minutes debate on Third Reading)
- 38 SB 481 - Pratt
- 39 SCS SB 482 - Bearden
- 40 HCS SB 582, (Fiscal Review 5-10-07) - Sutherland
(90 minutes debate on Third Reading)
- 41 SB 671 - Pratt
- 42 HCS#2 SCS SB 313 - Sutherland

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HB 744, as amended - St. Onge
- 2 SS HB 134 - Guest
- 3 SCS HCS HB 298 - Cooper (120)
- 4 SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172 - Jetton
- 5 SS HB 579, E.C. - Dempsey
- 6 SCS HCS HB 159 - Bivins
- 7 SS SCS HCS HB 780, as amended - Wasson

BILL CARRYING REQUEST MESSAGE

SS SCS HB 255, as amended (request Senate recede/grant conference), E.C. - Bruns

BILLS IN CONFERENCE

- 1 CCR HCS SB 30, as amended, E.C. - Stevenson
- 2 CCR HCS SCS SB 308, as amended - Wasson
- 3 CCR HCS SCS SB 64, as amended - Wallace
- 4 CCR HCS SB 81, as amended, E.C. - Schlottach
- 5 HCS SCS SB 198 - Pollock
- 6 CCR HCS SB 25, as amended - Franz
- 7 HB 574, SA 1, SA 3, E.C. - St. Onge
- 8 SS HB 665, as amended - Ervin
- 9 CCR#2 HCS#2 SB 406, as amended - Wallace
- 10 HCS SCS SB 82, as amended - Tilley
- 11 HCS SB 84, as amended - Franz
- 12 CCR HCS SB 416 - Pratt
- 13 HCS SCS SB 156, as amended, E.C. - Quinn (7)
- 14 HCS SCS SBs 62 & 41, as amended - Ruestman
- 15 CCR HB 488, SA 1 - Wasson

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HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-THIRD DAY, FRIDAY, MAY 11, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Ralph Robinett, Sergeant-at-Arms.

When Every Day is Special

O Lord, today is truly special, for it comes as a gift from You to us.

We are surrounded by the marvelous things You have made: babies are born, leaves bud on the trees, bodies heal after illness, people build friendships.

Help us to always see Your hand in our world, even on what seems like the most ordinary of days. Open our eyes to see Your love in countless little things, and in that way become aware of the grand scale of Your grace.

Make our hearts sing with Your praise today and every day.

Today is truly special for it is a gift from You to us. Thank You for this day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tyler Matthew Loveall, Judith Svetanics, Neil Svetanics and Laura Ransin.

The Journal of the seventy-second day was approved as printed.

Representative Pratt assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3561 through House Resolution No. 3609

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 577** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILL WITH SENATE AMENDMENT

SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, relating to a deduction for social security, was taken up by Representative Jetton.

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Representative Nieves assumed the Chair.

Representative Pratt resumed the Chair.

On motion of Representative Jetton, **SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172** was adopted by the following vote:

AYES: 135

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Jones 89	Kelly	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 011

Baker 25	Corcoran	Daus	Harris 110	Low 39
Nasheed	Oxford	Talboy	Villa	Vogt
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Bowman	Brown 50	Bruns	Curls
Haywood	Hughes	Johnson	Jones 117	Kingery
Kratky	Kuessner	Lowe 44	Walton	Wildberger
Wright-Jones	Young			

On motion of Representative Jetton, **SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172** was truly agreed to and finally passed by the following vote:

AYES: 133

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Jones 89	Kelly	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 011

Baker 25	Corcoran	Daus	Harris 110	Low 39
Nasheed	Oxford	Talboy	Villa	Vogt
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 019

Bland	Bowman	Brown 50	Bruns	Curls
Haywood	Hughes	Johnson	Jones 117	Kingery
Kratky	Kuessner	Lowe 44	Schlottach	Viebrock
Walton	Wildberger	Wright-Jones	Young	

Representative Pratt declared the bill passed.

RECESS

On motion of Representative Dempsey, the House recessed until 11:45 a.m.

The hour of recess having expired, the House was called to order by Representative Cooper (120).

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 10**, and has taken up and passed **CCS SCS HCS HB 10**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 11, as amended**, and has taken up and passed **CCS SCS HCS HB 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 12**, and has taken up and passed **CCS SCS HCS HB 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 13**, and has taken up and passed **CCS SCS HCS HB 13**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HB 255, as amended**: Senators Vogel, Scott, Ridgeway, Green and Shoemyer.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HB 818**, entitled:

An act to repeal sections 103.085, 143.121, 143.782, 313.321, 376.426, 376.776, 376.960, 376.961, 376.964, 376.966, 376.986, 376.989, 379.930, 379.936, 379.938, 379.940, 379.942, 379.943, 379.944, and 379.952, RSMo, and to enact in lieu thereof forty-nine new sections relating to health insurance, with an effective date for certain sections.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 818, Page 70, Section 376.990, Line 20 of said page, by inserting before the word “third” the following:

“**licensed**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 81, as amended**, and has taken up and passed **CCS HCS SB 81**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 86, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 SCS HCS HB 818, as amended, relating to health insurance portability, was taken up by Representative Ervin.

Representative Ervin moved that the **SS#2 SCS HCS HB 818, as amended**, be adopted.

Representative Donnelly made a substitute motion that the House refuse to adopt **SS#2 SCS HCS HB 818, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was defeated by the following vote:

AYES: 056

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hubbard	Komo	Lampe	LeVota	Liese
Low 39	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Witte	Yaeger	Zimmerman
Zweifel				

NOES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kelly	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

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ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Viebrock	Walton	Wildberger	Wright-Jones
Young				

On motion of Representative Ervin, **SS#2 SCS HCS HB 818, as amended**, was adopted by the following vote:

AYES: 104

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Hobbs
Holsman	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Komo	Kraus	Lembke
Liese	Lipke	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 043

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Darrough	Daus	Donnelly
Fallert	Frame	George	Harris 23	Harris 110
Hodges	Hoskins	Lampe	LeVota	Low 39
McClanahan	Meadows	Norr	Oxford	Robinson
Roorda	Rucker	Salva	Schieffer	Schoemehl
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Witte
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Nasheed	Walton	Wildberger	Wright-Jones
Young				

On motion of Representative Ervin, **SS#2 SCS HCS HB 818, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 106

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Hobbs	Holsman	Hoskins	Hubbard	Hunter
Iceet	Jones 89	Jones 117	Kelly	Komo
Kraus	Lembke	Liese	Lipke	Loehner
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 041

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Darrough	Daus	Donnelly
Frame	George	Harris 23	Harris 110	Hodges
Lampe	LeVota	Low 39	McClanahan	Meadows
Nasheed	Norr	Oxford	Robinson	Roorda
Rucker	Schieffer	Schoemehl	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Witte	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Salva	Walton	Wildberger	Wright-Jones
Young				

Representative Cooper (120) declared the bill passed.

Speaker Jetton resumed the Chair.

THIRD READING OF SENATE BILLS

SB 513, relating to the Professional and Practical Nursing Student Loan Program, was taken up by Representative Wasson.

On motion of Representative Wasson, **SB 513** was truly agreed to and finally passed by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kelly	Komo
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Walton	Wildberger	Wright-Jones	Young

Speaker Jetton declared the bill passed.

HCS SS SCS SB 577, relating to the Missouri HealthNet Program, was taken up by Representative Schaaf.

Representative Schaaf offered **House Amendment No 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 25, Section 208.001, Subsection 1, Lines 1 through 4, by deleting all of said lines and inserting in lieu thereof the following:

"208.001. 1. Sections 105.711, 135.096, 135.575, 191.411, 191.900, 191.905, 191.907, 191.908, 191.909, 191.910, 191.914, 191.1050, 191.1053, 191.1056, 192.632, 198.069, 198.097, 208.001, 208.146, 208.151, 208.152, 208.153, 208.197, 208.201, 208.212, 208.213, 208.215, 208.217, 208.225, 208.230, 208.612, 208.631, 208.640, 208.659, 208.670, 208.690, 208.692, 208.694, 208.696, 208.698, 208.750, 208.930, 208.950, 208.952, 208.954, 208.956, 208.960, 208.962, 208.964, 208.968, 208.975, 208.978, 375.020, 375.143, 473.398, and 620.510 RSMo, may be known as and may be cited as the "Missouri Continuing Health Improvement Act" "; and

Further amend said bill, Page 44, Section 208.153, Line 30, by deleting the word **"any"** and inserting in lieu thereof the words **"all or part of a"**; and

Further amend said bill, page and section, Line 31, by inserting after the word **"pass"** the words **"the pertinent portion, as defined by departmental regulation, of"**; and

Further amend said bill, Page 45, Section 208.197, Subsection 2, Line 16, by deleting the word **"encourage"** and inserting in lieu thereof **"discourage"**; and

Further amend said bill, Page 70, Section 208.950, Subsection 1, Subdivision (12), Line 58, by inserting before the word **"the"**, the words **"if the participant has a PCP, the office or clinic of a participant's PCP or PCP extender, and any team of individuals associated with that office or clinic, or if the participant has no PCP,"**; and

Further amend said bill, Page 70, Section 208.950, Line 61, by deleting the words **"The home is led by a clinically appropriate provider, who"**; and

Further amend said bill, Pages 70 to 71, Section 208.950, Lines 62 through 69, by deleting said lines; and

Further amend said bill, Page 71, Section 208.950, Subsection 1, Subdivision (14), Line 75, by inserting after **"208.152"** the words **"and other budgeted services"**; and

Further amend said bill, Page 71, Section 208.950, Subsection 1, Subdivision (19), Line 93, by deleting the word **"select"** and inserting in lieu thereof **"selected"**; and

Further amend said bill, Page 73, Section 208.950, Subsection 1, Subdivision (25), Line 146, by deleting the word **"existing"**; and

Further amend said bill, Page 80, Section 208.954, Subsection 1, Subdivision (1), Paragraph (a), Line 4, by inserting after the word **"and"** the word **"of"**; and

Further amend said bill, Page 81, Section 208.954, Subsection 2, Line 50, by inserting after the word **"all"** the word **"primary"**; and

Further amend said bill, Page 83, Section 208.956, Subsection 1, Subdivision (6), Line 15, by inserting after the word **"professionals"** the words **"of which, one shall be a dentist,"**; and

Further amend said bill, Page 92, Section 208.964, Subdivision (6), Lines 87 through 88, by deleting the words **"not included as part of an ASO plan, managed care plan, or component state plan for such population."** and inserting in lieu thereof the following:

"may include services of a component state plan upon approval of the department of mental health, but said ABD participants shall not be included as part of an ASO plan or a managed care plan."; and

Further amend said bill, Page 95, Section 208.975, Subsection 7, Lines 54 and 55, by deleting the words **"seven hundred fifty thousand dollars within any three-year span."** and inserting in lieu thereof the following:

"two million dollars per fiscal year."; and

Further amend said bill, Page 101, Section 620.510, Subsection 3, Subdivision (5), Line 18, by inserting after the word **"services,"** and words **"and the director of the department of mental health,"**; and

Further amend said bill, Page 103, Section 4, by deleting the said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 1, Line 1, by inserting before the word "AMEND" the words 'AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 15, Line 40, by inserting before the word "A" the words "The person so referred shall be subject to the penalties provided for under 42 U.S.C. Chapter 7, Subchapter XI, Section 1320a-7." '.

On motion of Representative Tilley, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Schaaf, **House Amendment No. 1, as amended**, was adopted.

Representative Hobbs offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 22, Section 191.1050, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

"section 632.005, RSMo, rural health clinic, or any group of licensed health care professionals in an area of defined need that is designated by the department as"; and

Further amend said bill, Page 22, Section 191.1053, Line 15, by inserting after all of said lines the following:

"4. The department may promulgate rules to implement the provisions of sections 191.1050 to 191.1056. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said bill, Page 22, Section 191.1056, Line 3, by inserting after the second appearance of the word "**fund**" on said line the following:

", with the approval of the oversight committee created in section 208.956, RSMo,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hobbs, **House Amendment No. 2** was adopted.

Representative Portwood offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 2, Section A., by inserting after all of said section the following:

"103.003. As used in sections 103.003 to 103.175, the following terms mean:

(1) "Actuarial reserves", the necessary funding required to pay all the medical expenses for services provided to members of the plan but for which the claims have not yet been received by the claims administrator;

(2) "Actuary", a member of the American Academy of Actuaries or who is an enrolled actuary under the Employee Retirement Income Security Act of 1974;

(3) "Agency", a state-sponsored institution of higher learning, political subdivision or governmental entity or instrumentality;

(4) "Alternative delivery health care program", a plan of covered benefits that pays medical expenses through an alternate mechanism rather than on a fee-for-service basis. This includes, but is not limited to, health maintenance organizations and preferred provider organizations, all of which shall include chiropractic physicians licensed under chapter 331, RSMo, in the provider networks or organizations;

(5) "Board", the board of trustees of the Missouri consolidated health care plan;

(6) "Claims administrator", an agency contracted to process medical claims submitted from providers or members of the plan and their dependents;

(7) "Coordination of benefits", to work with another group-sponsored health care plan which also covers a member of the plan to ensure that both plans pay their appropriate amount of the health care expenses incurred by the member;

(8) "Covered benefits", a schedule of covered services, including chiropractic services, which are payable under the plan;

(9) "Dental plan", any contractual arrangement to provide, either directly or through arrangement with others, specified dental benefits to members on a fixed prepayment basis or as a benefit of such subscribers' participation or membership in any other contract, agreement, or group or any corporation, partnership, or other entity which undertakes to provide or arrange specified dental benefits on a prepayment or other basis or to indemnify for specified dental benefits;

[(9)] **(10) "Employee", any person employed full time by the state or a participating member agency, or a person eligible for coverage by a state-sponsored retirement system or a retirement system sponsored by a participating member agency of the plan;**

[(10)] **(11) "Evidence of good health", medical information supplied by a potential member of the plan that is reviewed to determine the financial risk the person represents to the plan and the corresponding determination of whether or not he or she should be accepted into the plan;**

[(11)] **(12) "Health care plan", any group medical benefit plan providing coverage on an expense-incurred basis, any HMO, any group service or indemnity contract issued by a health plan of any type or description;**

[(12)] **(13) "Medical benefits coverages" shall include services provided by chiropractic physicians as well as physicians licensed under chapter 334, RSMo;**

[(13)] **(14) "Medical expenses", costs for services performed by a provider and covered under the plan;**

(15) "Member", any person who is a participant in the Missouri consolidated health care plan, including eligible subscribers and subscribers' spouses and unemancipated children;

[(14)] (16) "Missouri consolidated health care plan benefit fund account", the benefit trust fund account containing all payroll deductions, payments, and income from all sources for the plan;

[(15)] (17) "Officer", an elected official of the state of Missouri;

[(16)] (18) "Participating member agency", a state-sponsored institution of higher learning, political subdivision or governmental entity that has elected to join the plan and has been accepted by the board;

[(17)] (19) "Plan year", a twelve-month period designated by the board which is used to calculate the annual rate categories and the appropriate coverage;

[(18)] (20) "Provider", a physician, hospital, pharmacist, psychologist, chiropractic physician or other licensed practitioner who or which provides health care services within the respective scope of practice of such practitioner pursuant to state law and regulation;

[(19)] (21) "Retiree", a person who is not an employee and is receiving or is entitled to receive an annuity benefit from a state-sponsored retirement system or a retirement system of a participating member agency of the plan or becomes eligible for retirement benefits because of service with a participating member agency;

(22) "Subscriber", a person who is either:

(a) An eligible employee of the state or a participating member agency;

(b) An eligible retiree of the state or a participating member agency;

(c) An eligible surviving spouse or dependent of a deceased employee or deceased employee or deceased retiree of the state or a participating member agency;

(d) A former employee of the state or a participating member agency who is eligible for coverage under the federal Consolidated Omnibus Budget Reconciliation Act; or

(e) A person eligible for medical assistance under section 208.146, RSMo, and not otherwise eligible for coverage under the Missouri consolidated health care plan and who elects dental or vision coverage or both through the Missouri consolidated health care plan;

(23) "Vision plan", any contractual arrangement to provide, either directly or through arrangement with others, specified vision benefits to members on a fixed prepayment basis or as a benefit of such subscribers' participation or membership in any other contract, agreement, or group or any corporation, partnership, or other entity which undertakes to provide or arrange specified vision benefits on a prepayment or other basis or to indemnify for specified vision benefits.

103.005. For the purpose of covering medical, **dental, and vision** expenses of the officers, employees and retirees, the eligible dependents of officers, employees and retirees and to the surviving spouses and children of deceased officers, employees and retirees of the state and participating member agencies of the state, **and providing dental and vision benefits to eligible participants of medical assistance under section 208.146, RSMo**, there is hereby created and established a health care plan which shall be a body corporate, which shall be under the management of the board of trustees herein described, and shall be known as the "Missouri Consolidated Health Care Plan". Notwithstanding any provision of law to the contrary, such plan may sue and be sued, transact business, contract, invest funds and hold cash, securities and other property and shall be vested with such other powers as may be necessary or proper to enable it, its officers, employees, and agents to carry out fully and effectively all the purposes of sections 103.003 to 103.175.

103.087. For purposes of this section, the terms "medical assistance subscriber" or "medical assistance participant" shall mean a person receiving medical assistance under section 208.146, RSMo. Except as otherwise provided by sections 103.003 to 103.175, dental and vision benefits coverage as provided by sections 103.003 to 103.175 shall be made available to persons receiving medical assistance under section 208.146, RSMo. Spouses or unemancipated children under the age of twenty-three of such persons shall also be eligible to receive such dental and vision benefits.

(1) Dental and vision plans shall be available for enrollment by medical assistance eligible participants no earlier than January 1, 2008, and no later than July 1, 2008;

(2) The cost of providing dental and vision benefits to medical assistance eligible subscribers and subscribers' dependents not otherwise eligible for coverage through the Missouri consolidated health care plan shall not be allowed to adversely affect the state's or participating member agencies' rates or benefits;

(3) An initial thirty-day enrollment period shall be available for persons eligible for medical assistance not otherwise eligible for coverage under the Missouri consolidated health care plan to enroll in the dental or vision benefits or both under the Missouri consolidated health care plan. This initial thirty-day enrollment period shall begin from such person's initial date of approval under medical assistance under section 208.146, RSMo;

(4) There shall be an annual thirty-day enrollment period, at a time designated by the board, during which persons eligible for medical assistance not otherwise eligible for coverage under the Missouri consolidated health care plan shall be able to enroll in the dental or vision plans or both;

(5) Medical assistance participants not otherwise eligible for coverage under the Missouri consolidated health care plan shall also be eligible to enroll in the dental or vision plans or both as a medical assistance participant within sixty days of a loss of other group dental or vision coverage, or both, provided that such coverage was in place for at least twelve consecutive months immediately prior to the loss and that such loss was due to:

(a) The subscriber's or the subscriber's spouse's termination of employment; or

(b) Termination of group dental or vision coverage, or both, by the employer;

(6) Coverage for such dental and vision benefits to medical assistance subscribers and subscribers' dependents shall terminate when the medical assistance participant ceases to be eligible for medical assistance;

(7) Monthly, in accordance with a schedule developed by the board, or its designee, the medical assistance subscriber shall promptly pay to the executive director an amount equal to the amount of the premium due based upon the participation in the dental or vision plans, or both, as billed by the Missouri consolidated health care plan. Such premium shall be set by the board and shall cover all associated costs, including administrative costs, of the plan for providing such services to medical assistance participants. The executive director shall promptly deposit such amounts to the benefit trust fund account;

(8) The plan shall not assume responsibility for any liabilities incurred by the medical assistance program or its eligible participants or its participants' spouses or unemancipated dependents prior to the group's effective date;

(9) If so determined by the board, the department of social services shall reimburse the plan for any initial start-up costs incurred by the plan solely on behalf of the medical assistance participants and necessary in order for the medical assistance participants to be included in the plan;

(10) If a medical assistance subscriber fails to make any payment due the plan, the board may immediately terminate the medical assistance subscriber's and associated members' enrollment in the plan and stop paying claims accrued during the period of nonpayment. Any subscriber terminated for non-payment of premiums shall not be eligible for coverage until the next annual enrollment period as provided in subdivision (4) of this section.”; and

Further amend said bill, Page 26, Section 208.146, Lines 1 to 62, by deleting all of said lines and inserting in lieu thereof the following:

“208.146. 1. The program established under this section shall be known as the "Ticket to Work Health Assurance Program". Subject to appropriations and in accordance with the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIA), Public Law 106-170, the medical assistance provided for in section 208.151 may be paid for a person who is employed and who:

(1) Except for earnings, meets the definition of disabled under the Supplemental Security Income Program or meets the definition of an employed individual with a medically improved disability under TWWIA;

(2) Has earned income, as defined in subsection 2 of this section;

(3) Meets the asset limits in subsection 3 of this section;

(4) Has net income, as defined in subsection 3 of this section, that does not exceed the limit for permanent and totally disabled individuals to receive nonspenddown MO HealthNet under subdivision (24) of subsection 1 of section 208.151; and

(5) Has a gross income of two hundred fifty percent or less of the federal poverty level, excluding any earned income of the worker with a disability between two hundred fifty and three hundred fifty percent of the federal poverty level. For purposes of this subdivision, "gross income" includes all income of the person and the person's spouse that would be considered in determining MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151. Individuals with gross incomes in excess of one hundred percent of the federal poverty level shall pay a premium for participation in accordance with subsection 4 of this section.

2. For income to be considered earned income for purposes of this section, the department of social services shall document that Medicare and Social Security taxes are withheld from such income. Self-employed persons shall provide proof of payment of Medicare and Social Security taxes for income to be considered earned.

3. (1) For purposes of determining eligibility under this section, the available asset limit and the definition of available assets shall be the same as those used to determine MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151 except for:

(a) Medical savings accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year; and

(b) Independent living accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year. For purposes of this section, an "independent living account" means an account established and maintained to provide savings for transportation, housing, home modification, and personal care services and assistive devices associated with such person's disability.

(2) To determine net income, the following shall be disregarded:

(a) All earned income of the disabled worker;

(b) The first sixty-five dollars and one-half of the remaining earned income of a nondisabled spouse's earned income;

(c) A twenty-dollar standard deduction;

(d) Health insurance premiums;

(e) A seventy-five dollar a month standard deduction for the disabled worker's dental and optical insurance when the total dental and optical insurance premiums are less than seventy-five dollars;

(f) All Supplemental Security Income payments, and the first fifty dollars of SSDI payments;

(g) A standard deduction for impairment-related employment expenses equal to one-half of the disabled worker's earned income.

4. Any person whose gross income exceeds one hundred percent of the federal poverty level shall pay a premium for participation in the medical assistance provided in this section. Such premium shall be:

(1) For a person whose gross income is more than one hundred percent but less than one hundred fifty percent of the federal poverty level, four percent of income at one hundred percent of the federal poverty level;

(2) For a person whose gross income equals or exceeds one hundred fifty percent but is less than two hundred percent of the federal poverty level, four percent of income at one hundred fifty percent of the federal poverty level;

(3) For a person whose gross income equals or exceeds two hundred percent but less than two hundred fifty percent of the federal poverty level, five percent of income at two hundred percent of the federal poverty level;

(4) For a person whose gross income equals or exceeds two hundred fifty percent but less than three hundred percent of the federal poverty level, six percent of income at two hundred fifty percent of the federal poverty level;

(5) For a person whose gross income equals or exceeds three hundred percent but less than three hundred fifty percent of the federal poverty level, seven percent of income at three hundred percent of the federal poverty level.

5. Recipients of services through this program shall report any change in income or household size within ten days of the occurrence of such change. An increase in premiums resulting from a reported change in income or household size shall be effective with the next premium invoice that is mailed to a person after due process requirements have been met. A decrease in premiums shall be effective the first day of the month immediately following the month in which the change is reported.

6. If an eligible person's employer offers employer-sponsored health insurance and the department of social services determines that it is more cost effective, such person shall participate in the employer-sponsored insurance. The department shall pay such person's portion of the premiums, co-payments, and any other costs associated with participation in the employer-sponsored health insurance.

7. Those persons found eligible for medical assistance through this section shall have the right to purchase dental or optical insurance or both through the Missouri Consolidated Health Care Plan.”; and

Further amend said bill, Pages 60 and 61, Section 208.640, Lines 1 to 41, by deleting all of said lines and inserting in lieu thereof the following:

“208.640. 1. Parents and guardians of uninsured children with incomes [between] **above** one hundred [fifty-one and] **fifty percent and below** three hundred percent of the federal poverty level who do not have access to affordable employer-sponsored health care insurance or other affordable health care coverage may obtain coverage pursuant to this section.

2. For families with gross income **above one hundred fifty percent to one hundred eighty-five percent of the federal poverty level** for the purposes of sections 208.631 to 208.657, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium **of three percent of one hundred fifty percent of the federal poverty level for a family of three** [less than or equal to one hundred thirty-three percent of the monthly average premium required in the state's current Missouri consolidated health care plan]. For families with gross income **above one hundred eighty-five percent to two hundred twenty-five percent of the federal poverty level** for the purposes of sections 208.631 to 208.657, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium of four percent of one hundred eighty-five percent of the federal poverty level for a family of three. For families with gross income **above two hundred twenty-five percent and below three hundred percent of the federal poverty level** for the purposes of sections 208.631 to 208.657, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium of five percent of two hundred twenty-five percent of the federal poverty level for a family of three. Health insurance plans that do not cover an eligible child's pre-existing condition shall not be considered "affordable employer-sponsored health care insurance or other affordable health care coverage" for purposes of sections 208.631 to 208.657.

3. The parents and guardians of eligible uninsured children pursuant to this section are responsible for a monthly premium [equal to the average premium required for the Missouri consolidated health care plan] **as required by annual state appropriation**; provided that the total aggregate cost sharing for a family covered by these sections shall not exceed five percent of such family's income for the years involved. No co-payments or other cost sharing is permitted with respect to benefits for well-baby and well-child care including age-appropriate immunizations. Cost-sharing provisions pursuant to sections 208.631 to 208.657 shall not exceed the limits established by 42 U.S.C. Section 1397cc(e).

208.658. Up to one percent of any federal funds received under the provisions of Title XXI of the Social Security Act, as amended, and up to one percent of any state funds used to match those federal funds may be used for outreach through the MO HealthNet division for children's health program established under sections 208.631 to 208.657. The MO HealthNet division may contract with local public health agencies for purposes of this section. The provisions of this section shall be subject to appropriation.”; and

Further amend said bill, Page 64, Section 208.696, Line 19, by deleting the word “**and**”; and

Further amend said bill, Page 64, Section 208.696, Line 20, by inserting immediately following the word “**care**”; the following “**partnership approved**”; and

Further amend said bill, Page 65, Section 208.696, Lines 23 to 24, by deleting all of said lines and inserting in lieu thereof the following:

“**eligibility;**

(7) Develop requirements that all long-term care policies sold in the state of Missouri shall include coverage for all home and community based services, including but not limited to consumer-directed services, in-home, home health, and assisted living services;

(8) Develop requirements that all long-term care insurance policies sold in the state of Missouri shall disallow exclusions based on pre-existing conditions;

(9) Develop requirements that vendors of long-term care policies shall not charge a higher fee for premiums for individuals with pre-existing conditions or disabilities; and

(10) Develop requirements that all vendors of long-term care insurance shall provide each potential purchaser with accurate and verifiable information on the rates, expressed as a percentage of all claims for long-term care services which the vendor has denied in the past twelve months”; and

Further amend said bill, Page 103, Section 4, by inserting after all of said section the following:

“Section 5. The provisions in section 103.005, RSMo, relating to dental and vision benefits for medical assistance participants under section 208.146, RSMo, section 103.087, RSMo, section 208.146, RSMo, and subsection 7 of section 208.151, RSMo, shall expire six years after the effective date of this act.”; and

Further amend said bill, Page 107, Section B., by inserting after all of said section the following:

“Section C. The repeal and reenactment of sections 103.003, 103.005, and 208.151, and the enactment of sections 103.087 and 208.146, shall be effective upon notice to the revisor of statutes that a waiver or approval of a state plan amendment has been obtained from the Secretary of the Department of Health and Human Services by the director of the department of social services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Page requested a division of the question on **House Amendment No. 3.**

House Amendment No. 3

PART I

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 2, Section A., by inserting after all of said section the following:

“103.003. As used in sections 103.003 to 103.175, the following terms mean:

(1) "Actuarial reserves", the necessary funding required to pay all the medical expenses for services provided to members of the plan but for which the claims have not yet been received by the claims administrator;

(2) "Actuary", a member of the American Academy of Actuaries or who is an enrolled actuary under the Employee Retirement Income Security Act of 1974;

(3) "Agency", a state-sponsored institution of higher learning, political subdivision or governmental entity or instrumentality;

(4) "Alternative delivery health care program", a plan of covered benefits that pays medical expenses through an alternate mechanism rather than on a fee-for-service basis. This includes, but is not limited to, health maintenance organizations and preferred provider organizations, all of which shall include chiropractic physicians licensed under chapter 331, RSMo, in the provider networks or organizations;

(5) "Board", the board of trustees of the Missouri consolidated health care plan;

(6) "Claims administrator", an agency contracted to process medical claims submitted from providers or members of the plan and their dependents;

(7) "Coordination of benefits", to work with another group-sponsored health care plan which also covers a member of the plan to ensure that both plans pay their appropriate amount of the health care expenses incurred by the member;

(8) "Covered benefits", a schedule of covered services, including chiropractic services, which are payable under the plan;

(9) "Dental plan", any contractual arrangement to provide, either directly or through arrangement with others, specified dental benefits to members on a fixed prepayment basis or as a benefit of such subscribers' participation or membership in any other contract, agreement, or group or any corporation, partnership, or other entity which undertakes to provide or arrange specified dental benefits on a prepayment or other basis or to indemnify for specified dental benefits;

[(9)] (10) "Employee", any person employed full time by the state or a participating member agency, or a person eligible for coverage by a state-sponsored retirement system or a retirement system sponsored by a participating member agency of the plan;

[(10)] (11) "Evidence of good health", medical information supplied by a potential member of the plan that is reviewed to determine the financial risk the person represents to the plan and the corresponding determination of whether or not he or she should be accepted into the plan;

[(11)] (12) "Health care plan", any group medical benefit plan providing coverage on an expense-incurred basis, any HMO, any group service or indemnity contract issued by a health plan of any type or description;

[(12)] (13) "Medical benefits coverages" shall include services provided by chiropractic physicians as well as physicians licensed under chapter 334, RSMo;

[(13)] (14) "Medical expenses", costs for services performed by a provider and covered under the plan;

(15) **"Member", any person who is a participant in the Missouri consolidated health care plan, including eligible subscribers and subscribers' spouses and unemancipated children;**

[(14)] (16) "Missouri consolidated health care plan benefit fund account", the benefit trust fund account containing all payroll deductions, payments, and income from all sources for the plan;

[(15)] (17) "Officer", an elected official of the state of Missouri;

[(16)] (18) "Participating member agency", a state-sponsored institution of higher learning, political subdivision or governmental entity that has elected to join the plan and has been accepted by the board;

[(17)] (19) "Plan year", a twelve-month period designated by the board which is used to calculate the annual rate categories and the appropriate coverage;

[(18)] (20) "Provider", a physician, hospital, pharmacist, psychologist, chiropractic physician or other licensed practitioner who or which provides health care services within the respective scope of practice of such practitioner pursuant to state law and regulation;

[(19)] (21) "Retiree", a person who is not an employee and is receiving or is entitled to receive an annuity benefit from a state-sponsored retirement system or a retirement system of a participating member agency of the plan or becomes eligible for retirement benefits because of service with a participating member agency;

(22) **"Subscriber", a person who is either:**

(a) **An eligible employee of the state or a participating member agency;**

(b) **An eligible retiree of the state or a participating member agency;**

(c) **An eligible surviving spouse or dependent of a deceased employee or deceased employee or deceased retiree of the state or a participating member agency;**

(d) **A former employee of the state or a participating member agency who is eligible for coverage under the federal Consolidated Omnibus Budget Reconciliation Act; or**

(e) **A person eligible for medical assistance under section 208.146, RSMo, and not otherwise eligible for coverage under the Missouri consolidated health care plan and who elects dental or vision coverage or both through the Missouri consolidated health care plan;**

(23) **"Vision plan", any contractual arrangement to provide, either directly or through arrangement with others, specified vision benefits to members on a fixed prepayment basis or as a benefit of such subscribers' participation or membership in any other contract, agreement, or group or any corporation, partnership, or other entity which undertakes to provide or arrange specified vision benefits on a prepayment or other basis or to indemnify for specified vision benefits.**

103.005. For the purpose of covering medical, **dental, and vision** expenses of the officers, employees and retirees, the eligible dependents of officers, employees and retirees and to the surviving spouses and children of deceased officers, employees and retirees of the state and participating member agencies of the state, **and providing dental and vision benefits to eligible participants of medical assistance under section 208.146, RSMo**, there is hereby created and established a health care plan which shall be a body corporate, which shall be under the management of the board of trustees herein described, and shall be known as the "Missouri Consolidated Health Care Plan". Notwithstanding any provision of law to the contrary, such plan may sue and be sued, transact business, contract, invest funds and hold cash, securities and other property and shall be vested with such other powers as may be necessary or proper to enable it, its officers, employees, and agents to carry out fully and effectively all the purposes of sections 103.003 to 103.175.

103.087. For purposes of this section, the terms "medical assistance subscriber" or "medical assistance participant" shall mean a person receiving medical assistance under section 208.146, RSMo. Except as otherwise provided by sections 103.003 to 103.175, dental and vision benefits coverage as provided by sections 103.003 to 103.175 shall be made available to persons receiving medical assistance under section 208.146, RSMo. Spouses or unemancipated children under the age of twenty-three of such persons shall also be eligible to receive such dental and vision benefits.

(1) **Dental and vision plans shall be available for enrollment by medical assistance eligible participants no earlier than January 1, 2008, and no later than July 1, 2008;**

(2) The cost of providing dental and vision benefits to medical assistance eligible subscribers and subscribers' dependents not otherwise eligible for coverage through the Missouri consolidated health care plan shall not be allowed to adversely affect the state's or participating member agencies' rates or benefits;

(3) An initial thirty-day enrollment period shall be available for persons eligible for medical assistance not otherwise eligible for coverage under the Missouri consolidated health care plan to enroll in the dental or vision benefits or both under the Missouri consolidated health care plan. This initial thirty-day enrollment period shall begin from such person's initial date of approval under medical assistance under section 208.146, RSMo;

(4) There shall be an annual thirty-day enrollment period, at a time designated by the board, during which persons eligible for medical assistance not otherwise eligible for coverage under the Missouri consolidated health care plan shall be able to enroll in the dental or vision plans or both;

(5) Medical assistance participants not otherwise eligible for coverage under the Missouri consolidated health care plan shall also be eligible to enroll in the dental or vision plans or both as a medical assistance participant within sixty days of a loss of other group dental or vision coverage, or both, provided that such coverage was in place for at least twelve consecutive months immediately prior to the loss and that such loss was due to:

(a) The subscriber's or the subscriber's spouse's termination of employment; or

(b) Termination of group dental or vision coverage, or both, by the employer;

(6) Coverage for such dental and vision benefits to medical assistance subscribers and subscribers' dependents shall terminate when the medical assistance participant ceases to be eligible for medical assistance;

(7) Monthly, in accordance with a schedule developed by the board, or its designee, the medical assistance subscriber shall promptly pay to the executive director an amount equal to the amount of the premium due based upon the participation in the dental or vision plans, or both, as billed by the Missouri consolidated health care plan. Such premium shall be set by the board and shall cover all associated costs, including administrative costs, of the plan for providing such services to medical assistance participants. The executive director shall promptly deposit such amounts to the benefit trust fund account;

(8) The plan shall not assume responsibility for any liabilities incurred by the medical assistance program or its eligible participants or its participants' spouses or unemancipated dependents prior to the group's effective date;

(9) If so determined by the board, the department of social services shall reimburse the plan for any initial start-up costs incurred by the plan solely on behalf of the medical assistance participants and necessary in order for the medical assistance participants to be included in the plan;

(10) If a medical assistance subscriber fails to make any payment due the plan, the board may immediately terminate the medical assistance subscriber's and associated members' enrollment in the plan and stop paying claims accrued during the period of nonpayment. Any subscriber terminated for non-payment of premiums shall not be eligible for coverage until the next annual enrollment period as provided in subdivision (4) of this section.”; and

Further amend said bill, Page 26, Section 208.146, Lines 1 to 62, by deleting all of said lines and inserting in lieu thereof the following:

“208.146. 1. The program established under this section shall be known as the "Ticket to Work Health Assurance Program". Subject to appropriations and in accordance with the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA), Public Law 106-170, the medical assistance provided for in section 208.151 may be paid for a person who is employed and who:

(1) Except for earnings, meets the definition of disabled under the Supplemental Security Income Program or meets the definition of an employed individual with a medically improved disability under TWWIIA;

(2) Has earned income, as defined in subsection 2 of this section;

(3) Meets the asset limits in subsection 3 of this section;

(4) Has net income, as defined in subsection 3 of this section, that does not exceed the limit for permanent and totally disabled individuals to receive nonspenddown MO HealthNet under subdivision (24) of subsection 1 of section 208.151; and

(5) Has a gross income of two hundred fifty percent or less of the federal poverty level, excluding any earned income of the worker with a disability between two hundred fifty and three hundred fifty percent of the federal poverty level. For purposes of this subdivision, "gross income" includes all income of the person and the

person's spouse that would be considered in determining MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151. Individuals with gross incomes in excess of one hundred percent of the federal poverty level shall pay a premium for participation in accordance with subsection 4 of this section.

2. For income to be considered earned income for purposes of this section, the department of social services shall document that Medicare and Social Security taxes are withheld from such income. Self-employed persons shall provide proof of payment of Medicare and Social Security taxes for income to be considered earned.

3. (1) For purposes of determining eligibility under this section, the available asset limit and the definition of available assets shall be the same as those used to determine MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151 except for:

(a) Medical savings accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year; and

(b) Independent living accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year. For purposes of this section, an "independent living account" means an account established and maintained to provide savings for transportation, housing, home modification, and personal care services and assistive devices associated with such person's disability.

(2) To determine net income, the following shall be disregarded:

(a) All earned income of the disabled worker;

(b) The first sixty-five dollars and one-half of the remaining earned income of a nondisabled spouse's earned income;

(c) A twenty-dollar standard deduction;

(d) Health insurance premiums;

(e) A seventy-five dollar a month standard deduction for the disabled worker's dental and optical insurance when the total dental and optical insurance premiums are less than seventy-five dollars;

(f) All Supplemental Security Income payments, and the first fifty dollars of SSDI payments;

(g) A standard deduction for impairment-related employment expenses equal to one-half of the disabled worker's earned income.

4. Any person whose gross income exceeds one hundred percent of the federal poverty level shall pay a premium for participation in the medical assistance provided in this section. Such premium shall be:

(1) For a person whose gross income is more than one hundred percent but less than one hundred fifty percent of the federal poverty level, four percent of income at one hundred percent of the federal poverty level;

(2) For a person whose gross income equals or exceeds one hundred fifty percent but is less than two hundred percent of the federal poverty level, four percent of income at one hundred fifty percent of the federal poverty level;

(3) For a person whose gross income equals or exceeds two hundred percent but less than two hundred fifty percent of the federal poverty level, five percent of income at two hundred percent of the federal poverty level;

(4) For a person whose gross income equals or exceeds two hundred fifty percent but less than three hundred percent of the federal poverty level, six percent of income at two hundred fifty percent of the federal poverty level;

(5) For a person whose gross income equals or exceeds three hundred percent but less than three hundred fifty percent of the federal poverty level, seven percent of income at three hundred percent of the federal poverty level.

5. Recipients of services through this program shall report any change in income or household size within ten days of the occurrence of such change. An increase in premiums resulting from a reported change in income or household size shall be effective with the next premium invoice that is mailed to a person after due process requirements have been met. A decrease in premiums shall be effective the first day of the month immediately following the month in which the change is reported.

6. If an eligible person's employer offers employer-sponsored health insurance and the department of social services determines that it is more cost effective, such person shall participate in the employer-sponsored insurance. The department shall pay such person's portion of the premiums, co-payments, and any other costs associated with participation in the employer-sponsored health insurance.

7. Those persons found eligible for medical assistance through this section shall have the right to purchase dental or optical insurance or both through the Missouri Consolidated Health Care Plan.”; and

On motion of Representative Portwood, **Part I of House Amendment No. 3** was adopted by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kelly	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 003

Emery	Ervin	Hoskins
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PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Walton	Wildberger	Wright-Jones	Young

House Amendment No. 3

PART II

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Pages 60 and 61, Section 208.640, Lines 1 to 41, by deleting all of said lines and inserting in lieu thereof the following:

“208.640. 1. Parents and guardians of uninsured children with incomes [between] **above** one hundred [fifty-one and] **fifty percent and below** three hundred percent of the federal poverty level who do not have access to affordable employer-sponsored health care insurance or other affordable health care coverage may obtain coverage pursuant to this section.

2. For families with gross income **above one hundred fifty percent to one hundred eighty-five percent of the federal poverty level** for the purposes of sections 208.631 to 208.657, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium **of three percent of one hundred fifty percent of the federal poverty level for a family of three** [less than or equal to one hundred thirty-three percent of the monthly average premium required in the state's current Missouri consolidated health care plan]. For families with gross income **above one hundred eighty-five percent to two hundred twenty-five percent of the federal poverty level** for the purposes of sections 208.631 to 208.657, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium **of four percent of one hundred eighty-five percent of the federal poverty level for a family of three**. For families with gross income **above two hundred twenty-five percent and below three hundred percent of the federal poverty level** for the purposes of sections 208.631 to 208.657, "affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium **of five percent of two hundred twenty-five percent of the federal poverty level for a family of three**. Health insurance plans that do not cover an eligible child's pre-existing condition shall not be considered "affordable employer-sponsored health care insurance or other affordable health care coverage" for purposes of sections 208.631 to 208.657.

3. The parents and guardians of eligible uninsured children pursuant to this section are responsible for a monthly premium [equal to the average premium required for the Missouri consolidated health care plan] **as required by annual state appropriation**; provided that the total aggregate cost sharing for a family covered by these sections shall not exceed five percent of such family's income for the years involved. No co-payments or other cost sharing is permitted with respect to benefits for well-baby and well-child care including age-appropriate immunizations. Cost-sharing provisions pursuant to sections 208.631 to 208.657 shall not exceed the limits established by 42 U.S.C. Section 1397cc(e).

208.658. Up to one percent of any federal funds received under the provisions of Title XXI of the Social Security Act, as amended, and up to one percent of any state funds used to match those federal funds may be used for outreach through the MO HealthNet division for children's health program established under sections 208.631 to 208.657. The MO HealthNet division may contract with local public health agencies for purposes of this section. The provisions of this section shall be subject to appropriation.”; and

Representative Portwood moved that **Part II of House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 001

Whorton

NOES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter

Icet	Jones 89	Jones 117	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kelly	Kingery	Kratky
Kuessner	Lowe 44	Rucker	Walton	Wildberger
Wright-Jones	Young			

House Amendment No. 3

PART III

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 64, Section 208.696, Line 19, by deleting the word “**and**”; and

Further amend said bill, Page 64, Section 208.696, Line 20, by inserting immediately following the word “**care**”; the following “**partnership approved**”; and

Further amend said bill, Page 65, Section 208.696, Lines 23 to 24, by deleting all of said lines and inserting in lieu thereof the following:

“**eligibility;**

(7) **Develop requirements that all long-term care policies sold in the state of Missouri shall include coverage for all home and community based services, including but not limited to consumer-directed services, in-home, home health, and assisted living services;**

(8) **Develop requirements that all long-term care insurance policies sold in the state of Missouri shall disallow exclusions based on pre-existing conditions;**

(9) **Develop requirements that vendors of long-term care policies shall not charge a higher fee for premiums for individuals with pre-existing conditions or disabilities; and**

(10) **Develop requirements that all vendors of long-term care insurance shall provide each potential purchaser with accurate and verifiable information on the rates, expressed as a percentage of all claims for long-term care services which the vendor has denied in the past twelve months”; and**

Further amend said bill, Page 103, Section 4, by inserting after all of said section the following:

“Section 5. The provisions in section 103.005, RSMo, relating to dental and vision benefits for medical assistance participants under section 208.146, RSMo, section 103.087, RSMo, section 208.146, RSMo, and subsection 7 of section 208.151, RSMo, shall expire six years after the effective date of this act.”; and

Further amend said bill, Page 107, Section B., by inserting after all of said section the following:

“Section C. The repeal and reenactment of sections 103.003, 103.005, and 208.151, and the enactment of sections 103.087 and 208.146, shall be effective upon notice to the revisor of statutes that a waiver or approval of a state plan amendment has been obtained from the Secretary of the Department of Health and Human Services by the director of the department of social services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **Part III of House Amendment No. 3** was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Hoskins

PRESENT: 000

ABSENT WITH LEAVE: 020

Bland	Bowman	Brown 50	Curls	Dethrow
Haywood	Hughes	Johnson	Kingery	Kratky
Kuessner	Lowe 44	Page	Rucker	Threlkeld
Walton	Wasson	Wildberger	Wright-Jones	Young

Representative Bearden offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 73, Section 208.950, Lines 145-153, by deleting all of said lines and inserting in lieu thereof the following:

"state beginning with the next contract renewal period. The division may promulgate rules to compare different methods for dental management. Such rules shall include but are not limited to methods to compare cost, outcomes, encounter data, network adequacy including availability of specialty providers, timeliness of service delivery, delivery of preventative services and emergency services, and patient satisfaction. Once such rules have been adopted the division may, in the following contract period in one managed care region, negotiate with one managed care organization to have dental services for enrolles provided using the division's technology and internal resources and negotiate with one managed care organization to have dental services for enrollees provided using an administrative services organization to be contracted separately from the managed care organization. Three months prior to the end of at least a twelve-month contract period a comparison of the methods of dental management shall be conducted by the division in accordance with the rules, and the results reported to the oversight committee, who shall"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 4** amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Bearden, **House Amendment No. 4** was adopted.

Representative Bearden offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 36, Section 208.152, Line 89, by inserting after the word "**appropriations**" the following:

“ . Until such time as a four-tier level is implemented, each resident of such facility who qualifies for assistance under section 208.030, RSMo shall, at a minimum, if prescribed by a physician, be authorized one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident’s personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if her or she transfers to another such facility”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bearden, **House Amendment No. 5** was adopted.

Representative Kraus offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Section 208.152, Page 43, Line 318, by inserting after all of said line the following:

“(11) Pursuant to federal law and subject to appropriations, MO HealthNet participants shall submit to random testing for illegal drugs to remain eligible for MO HealthNet services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley assumed the Chair.

Representative Schaaf offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1
to
House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Line 4, by deleting the words "**Pursuant to**" and inserting in lieu thereof the word "**Notwithstanding**".

Speaker Jetton resumed the Chair.

On motion of Representative Schaaf, **House Amendment No. 1 to House Amendment No. 6** was adopted.

Representative Page offered **House Amendment No. 2 to House Amendment No. 6.**

Representative Pratt raised a point of order that **House Amendment No. 2 to House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Kraus, **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 123

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hunter	Icet
Jones 89	Jones 117	Kelly	Komo	Kraus
Lampe	Lembke	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Ruestman	Ruzicka

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Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 024

Baker 25	Burnett	Darrough	Daus	Dougherty
El-Amin	Frame	George	Holsman	Hoskins
Hubbard	LeVota	Liese	Low 39	Meadows
Nasheed	Oxford	Roorda	Rucker	Spreng
Talboy	Villa	Vogt	Walsh	

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Shively	Walton	Wildberger	Wright-Jones
Young				

Representative Pratt offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 49, Section 208.215.1, Line 12, by deleting the words "any health benefit plan" on such line; and

Further amend such bill, by deleting the Lines 13-19; and

Further amend such bill, Page 51, Section 208.215.8, by deleting Lines 86-91, and replace in lieu thereof the following:

"and after the time of the service of the notice."

On motion of Representative Pratt, **House Amendment No. 7** was adopted.

Representative Sater offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Section 105.711, Page 4, Line 98, by deleting the word "**community**"; and

Further amend said bill, Section 208.151, Subsection 1, Subdivision (22), Page 31, Line 141, by deleting the words "**By January 1, 2008, the department of social services shall**"; and

Further amend said bill and section, Pages 31 and 32, Lines 142 through 164, by deleting said lines; and

Further amend said bill, Section 208.153, Subsection 2, Page 44, Lines 25 through 29, by deleting said lines; and

Further amend said bill, Section 208.952, Subsection 8, Page 77, Lines 47 to 48, by deleting said lines and inserting in lieu thereof the following:

"8. No provisions of any statute shall be construed as to require any aged, blind or disabled person to enroll in a managed care plan."; and

Further amend said bill by amending the title, enacting clause, and intersectional accordingly.

On motion of Representative Sater, **House Amendment No. 8** was adopted.

Representative Cooper (158) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Section 4, Page 103, by inserting after all of said section the following:

"Section 5. Beginning July 1, 2007, a joint interim committee appointed by the speaker of the house of representatives and the president pro tem of the senate shall make a comprehensive study on the effects of asthma on children and adults, including the solicitation of information from appropriate state agencies and the public on the social, economic, educational and health implications of asthma. The committee shall prepare and submit a report including its recommendation for changes to the governor, the house of representatives, and the senate no later than December 31, 2007."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (158), **House Amendment No. 9** was adopted.

Representative Onder offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Pages 10-12, Section 167.182, by striking all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Onder, **House Amendment No. 10** was adopted by the following vote:

AYES: 074

Baker 123	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Emery	Ervin
Faith	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Lembke	Lipke
Loehner	May	Moore	Munzlinger	Nance
Nieves	Nolte	Onder	Pearce	Pollock
Pratt	Quinn 7	Richard	Robb	Ruestman

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Ruzicka	Sander	Sater	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Smith 14
Smith 150	Stevenson	Sutherland	Thomson	Tilley
Viebrock	Wallace	Wasson	Wells	Wilson 119
Wilson 130	Wood	Wright 159	Yates	

NOES: 072

Aull	Avery	Baker 25	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Fallert	Fares	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Komo	Kraus	Lampe	LeVota
Liese	Low 39	Marsh	McClanahan	McGhee
Meadows	Meiners	Muschany	Nasheed	Norr
Oxford	Page	Portwood	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schaaf
Schieffer	Schoemehl	Shively	Silvey	Skaggs
Spreng	St. Onge	Storch	Stream	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Weter	Whorton	Witte	Yaeger	Zimmerman
Zweifel	Mr Speaker			

PRESENT: 001

Threlkeld

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Parson	Walton	Wildberger	Wright-Jones
Young				

Representative Sater offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 61, Section 208.640, Lines 33 to 41, by deleting all of said lines and inserting in lieu thereof the following:

“2. The department of social services shall study the expansion of a presumptive eligibility process for children for medical assistance benefits.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 11** was adopted by the following vote:

AYES: 076

Baker 123	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cooper 158	Cox	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fisher	Flook	Franz	Funderburk	Guest

Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nieves	Onder	Parson	Pearce	Pollock
Pratt	Quinn 7	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Smith 14	Stevenson
St. Onge	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 069

Aull	Avery	Baker 25	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	Dougherty	El-Amin	Faith	Fallert
Fares	Frame	George	Grill	Grisamore
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Komo	Kraus	Lampe	LeVota
Liese	Low 39	McClanahan	Meadows	Meiners
Nance	Nasheed	Nolte	Norr	Oxford
Page	Portwood	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schneider
Schoemehl	Shively	Silvey	Skaggs	Smith 150
Spreng	Storch	Stream	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	Bowman	Brown 50	Cooper 120	Cunningham 145
Curls	Haywood	Hughes	Johnson	Kingery
Kratky	Kuessner	Lowe 44	Richard	Walton
Wildberger	Wright-Jones	Young		

Representative Schaaf offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 61, Section 208.640, Line 30, by deleting all of said line and inserting in lieu thereof the following:

“exceeded the annual coverage limits for all health care services, the child is not”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 12** was adopted.

Representative Wilson (130) offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Pages 73 and 74, Section 208.950, Lines 167 through 172, by deleting all of said lines and inserting in lieu thereof the following:

“(29) “Comprehensive Entry Point”, an entity that has staff available to access the web-based/terminal server electronic patient health record, has minimal conflict of interest, has experience in providing federally-funded information and assistance, and utilizes the universal information and assessment system and where a person can seek information and assistance about long-term care services including, but not limited to, hospitals, home care agencies, county developmental disabilities boards, centers for independent living, facilities licensed under chapter 198, RSMo, area agencies on aging, health care providers, transportation providers, home-delivered meal providers, and behavioral health providers;”; and

Further amend said bill, Page 75, Section 208.950, Line 226, by inserting immediately following the first instance of the word **“based”** the following:

“/terminal server”; and

Further amend said bill, Page 77, Section 208.952, Line 41, by inserting immediately following the word **“web-based”** the following:

“/terminal server”; and

Further amend said bill, Pages 85 through 87, Section 208.956, Lines 99 through 185, by deleting all of said lines and inserting in lieu thereof the following:

“4. By October 1, 2008, the Department of Health and Senior Services, in conjunction with the commission convened by the Lieutenant Governor, shall develop and implement a comprehensive entry point system for long-term care through a public process that shall:

(1) Offer Missourians an array of choices including community-based, in-home, residential and institutional services;

(2) Provide information and assistance about the array of long-term care services to Missourians through a complete state-wide information and assistance system that is accessible by phone, in-person, and via the Internet or other appropriate technology;

(3) Allow consumers to independently choose from a full range of home, community-based, and facility-based health and social services as well as access appropriate services to meet individual needs and preferences from the provider of the consumer’s choice;

(4) Create a delivery system that is easy to understand and accessible and which shall include financial presumptive eligibility for home and community based services;

(5) Create a delivery system that is efficient, reduces duplication, minimizes conflict of interest, and streamlines access to federal, state and local funding sources and programs;

(6) Establishes a long-term care system that seeks to achieve timely access to and payment for care, foster quality and excellence in service delivery, and promote innovative and cost-effective strategies;

(7) Implements an electronic system utilizing a uniform screening and assessment mechanism establishing consumers’ need for services, availability of informal supports, plan of service, service authorization, and services provided;

(8) Provides a nursing home pre-admission screening and resident review (PASRR) mechanism for all Missourians seeking nursing home care that will also track community-based unmet needs; and

(9) Provides a care coordination system to be available as needed for consumers at risk of premature institutionalization, those being discharged from a hospital and those individuals in a crisis.

5. The duties and functions of the comprehensive entry point shall include but not be limited to:

(1) Provide a comprehensive and coordinated service system for Missouri’s long-term care population, prioritizing by greatest need of individuals;

(2) Evaluate programs and services for the the long-term care population, and determine the extent to which those programs and services meet the needs of the consumer;

(3) Provide consultation and assistance to communities and groups developing local services;

(4) Promote community education regarding the services available through publications, presentations, radio, television, and the press;

(5) Cooperate with agencies of the federal, state and local government in studies and conferences designed to examine the needs of the long-term care consumer and prepare programs to address those needs;

(6) Establish and maintain information and referral sources throughout Missouri;

(7) Initiate, evaluate, and provide assistance for improving programs in cooperation with all other state agencies having concerns or responsibility for long-term care;

(8) Screen, assess, authorize, and track services delivered, and identify unmet needs;

(9) Provide Missouri's long-term care consumers and their families with a locally focused, coordinated approach to integrating information and referral for all available services;

(10) Provide for easier access to long-term-care services by providing local access to the long-term-care network;

(11) Develop referral agreements with local community service organizations, such as senior centers, existing service providers, volunteer associations, and other similar organizations, to better assist clients who do not need or do not wish to enroll in programs funded by the state or the comprehensive entry point;

(12) Develop a referral agreement that includes protocols designed to ensure that consumers and their families are able to access information and services in the most efficient and least cumbersome manner possible;

(13) Provide an initial screening of all clients who request long-term-care services to determine whether the person would be most appropriately served through any combination of federally funded programs, state-funded programs, locally funded or community volunteer programs, or private funding for services;

(14) Determine functional eligibility for the programs and services administered through the comprehensive entry point for long-term care services for persons residing within the geographic area served by the comprehensive entry point and determine a priority ranking for services which is based upon the potential recipient's frailty level, likelihood of pre-mature institutional placement without such services, and abuse or neglect survivors;

(15) Manage the availability of financial resources for the programs and services within MO HealthNet for long-term care participants residing within the geographic area served by the comprehensive entry point;

(16) Refer a client to the most appropriate entity to begin receiving services when financial resources become available;

(17) Assist the department in locating services for individuals in need of adult protective services and shall give these individuals primary consideration for receiving services;

(18) Develop an annual program improvement plan for submission to the department;

(19) Develop strong community partnerships to maximize the use of community resources for the purpose of assisting to remain in their community settings for as long as it is safely possible and needs are met; and

(20) Conduct comprehensive assessments as appropriate of clients and develop a service plan consistent with established protocols that ensure that the unique needs of each client are met.

6. The services to be coordinated through the comprehensive entry point system shall include those funded through MO HealthNet waivers, MO HealthNet state plans, Older Americans Act, and other funding as appropriate.

7. The department shall, prior to designation of an comprehensive entry point system , develop by rule operational and quality assurance standards and outcome measures to ensure that clients receiving services through all long-term-care programs administered through a comprehensive entry point are receiving the appropriate care they require and that contractors and subcontractors are adhering to the terms of their contracts and are acting in the best interests of the clients they are serving, consistent with the intent of the Legislature to ensure the most appropriate care in the least restrictive care setting to met the needs of the clients.

8. The department shall by rule provide operating procedures for a comprehensive entry point system, which shall include:

(1) Minimum standards for financial operation, including audit procedures.

(2) Procedures for monitoring and sanctioning.

(3) Minimum standards for technology utilized by the comprehensive entry point system.

(4) Minimum staff requirements which shall ensure that the comprehensive entry point system employs sufficient quality and quantity of staff to adequately meet the needs of the consumers residing within the area served by the comprehensive entry point system.

(5) Minimum accessibility standards, including hours of operation.

(6) Minimum oversight standards for the governing body of the comprehensive entry point to ensure its continuous involvement in, and accountability for, all matters related to the development, implementation, staffing, administration, and operations of the comprehensive entry point.

(7) Minimum education and experience requirements for executive directors and other executive staff positions of comprehensive entry point system.

(8) Minimum requirements regarding any executive staff positions that the comprehensive entry point must employ and minimum requirements that a candidate must meet in order to be eligible for appointment to such positions.

9. This section shall not be construed to allow the comprehensive entry point to restrict, manage, or impede the local fundraising activities of service providers.

10. (1) The Lieutenant Governor shall convene a commission to advise in the planning, implementation, and evaluation of the comprehensive entry point system. In addition, the commission shall have an on-going responsibility to review and act upon the recommendations contained in the annual program improvement plans.

(2) The commission shall be comprised of state-wide representatives of long-term care service providers, housing authorities, social service organizations, advocacy groups, representatives of clients receiving services through the comprehensive entry point, and any other persons or groups as determined by the Lt. Governor.

11. Starting July 1, 2009, the department shall provide to the Governor, Lieutenant Governor and the general assembly a yearly report that provides an update on the implementation the comprehensive entry point system, successes, roadblocks and recommendations including but not limited to, a transition plan for implementation to the populations currently served by DHSS.

12. There is hereby created in the state treasury the “Comprehensive Entry Point System Fund”, which shall consist of all moneys deposited in the fund pursuant to this section, and all moneys which may be appropriated to it by the general assembly from federal or other sources.

13. (1) The state treasurer shall be custodian of the fund and may approve disbursements from the fund pursuant to this section. Notwithstanding the provision of section 44.080 RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

(2) All funds collected by or due and payable to the comprehensive entry point system shall remain in and accrue to said fund.”; and

Further amend said bill, Page 90, Section 208.964, Lines 29 through 30, by deleting the words “**natural point of entry**” and inserting in lieu thereof the following “**comprehensive entry point**”; and

Further amend said bill, Page 92, Section 208.968, Line 5, by deleting the words “**natural points of entry**” and inserting in lieu thereof the following “**comprehensive entry points**”; and

Further amend said bill, Page 92, Section 208.968, Line 11, by deleting the words “**natural points of entry**” and inserting in lieu thereof the following “**comprehensive entry points**”; and

Further amend said bill, Page 93, Section 208.968, Line 19, by deleting the words “**natural points of entry**” and inserting in lieu thereof the following “**comprehensive entry points**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schoeller offered **House Amendment No. 1 to House Amendment No. 13.**

House Amendment No. 1
to
House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 2, on Line 23, by removing the word "all" and adding "MO Health clients"; and

Further amend on Page 3, Line 25, by removing the word "all" and adding "MO Health".

On motion of Representative Schoeller, **House Amendment No. 1 to House Amendment No. 13** was adopted.

Representative Wilson (130) moved that **House Amendment No. 13, as amended**, be adopted.

Which motion was defeated.

Representative Burnett offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, by deleting the word "MO" as it appears throughout the bill and replacing it with the word "NO".

Representative Burnett moved that **House Amendment No. 14** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Darrough	Daus	Donnelly
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hubbard	Komo
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Witte	Yaeger	Zimmerman	Zweifel	

NOES: 093

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hunter
Ice	Jones 89	Jones 117	Kelly	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard

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Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Cooper 120	Curls
Haywood	Hughes	Johnson	Kingery	Kratky
Kuessner	Lowe 44	Walton	Wildberger	Wright-Jones
Young				

Representative McClanahan offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 34, Section 208.151, Line 240, by inserting after said line:

"7. Notwithstanding any other provision of law, eligibility requirements in the state Medicaid program shall be no more restrictive than those in effect on January 1, 2005."; and

Further amend, Page 43, Section 208.152, Line 318, by inserting after said line:

"11. Notwithstanding any other provision of law, state Medicaid services, cost-sharing (including co-payments and premiums), long-term care services criteria, and MC+ for kids affordability standards shall be no more restrictive than the state Medicaid program requirements in effect on January 1, 2005.".

Speaker Pro Tem Bearden assumed the Chair.

Representative Robb offered **House Amendment No. 1 to House Amendment No. 15**.

House Amendment No. 1 to House Amendment No. 15 was withdrawn.

Representative McClanahan moved that **House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Avery	Baker 25	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	Dougherty	El-Amin	Faith	Fallert
Frame	George	Grill	Grisamore	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Komo	Kraus	Lampe	LeVota	Liese
Low 39	Marsh	McClanahan	Meadows	Meiners
Nance	Nasheed	Nolte	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Schneider	Schoemehl	Shively
Silvey	Skaggs	Smith 150	Spreng	Storch

Stream	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Witte	Wright 159
Yaeger	Zimmerman	Zweifel		

NOES: 078

Baker 123	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Fares	Fisher	Flook
Franz	Funderburk	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nieves	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Smith 14	Stevenson	St. Onge
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wells	Weter	Wilson 119	Wilson 130
Wood	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Salva	Walton	Wasson	Wildberger
Wright-Jones	Young			

Representative Storch offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Section 208.640, Page 61, Line 32, by inserting after all of said line the following:

"In addition, consistent with 42 U.S.C. section 1396cc(e)(3) amd 42 C.F.R. section 457.560, private or employer-sponsored health insurance shall not be considered affordable if the family's total cost-sharing (including premiums, enrollment fees, deductibles, co-payments, co-insurance, or similar cost-sharing) under such insurance would exceed five percent of the family's annual income. The Family Support Division shall promulgate regulations to establish a process for determining whether the total cost of available private or employer-sponsored health insurance exceeds 5% of family income."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Storch, **House Amendment No. 16** was adopted by the following vote:

AYES: 128

Aull	Avery	Baker 25	Bearden	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Corcoran	Cox	Cunningham 145

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Cunningham 86	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Faith	Fallert	Fares
Fisher	Flook	Frame	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hubbard	Hunter
Ice	Jones 117	Kelly	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Walsh	Wasson	Wells	Weter
Wilson 130	Witte	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 016

Baker 123	Bivins	Cooper 155	Cooper 158	Davis
Dethrow	Emery	Ervin	Franz	Hoskins
Jones 89	Pollock	Sater	Schad	Wallace
Wood				

PRESENT: 001

Wilson 119

ABSENT WITH LEAVE: 018

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Salva	Schlottach	Walton	Whorton
Wildberger	Wright-Jones	Young		

Representative Sater offered **House Amendment No. 17.**

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Section 208.151, Page 34, Line 231, by inserting immediately after the word "state" the following:

", unless subject to appropriation or directed by statute"; and

Further amend said substitute, said section, said page, Line 235, by inserting immediately after the word "thereof" the following:

", unless the request for such a waiver is made subject to appropriation or directed by statute"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 17** was adopted.

Representative Zweifel offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 25, Section 208.001, Line 22, by inserting after all of said line the following:

"208.145. **1.** For the purposes of the application of section 208.151, individuals shall be deemed to be recipients of aid to families with dependent children and individuals shall be deemed eligible for [such assistance] **the medical assistance authorized under section 208.151** if:

(1) The individual meets eligibility requirements which are no more restrictive than the July 16, 1996, eligibility requirements for aid to families with dependent children, as established by the **family support** division [of family services]; or

(2) Each dependent child, and each relative with whom such a child is living including the spouse of such relative as described in 42 U.S.C. 606(b), as in effect on July 16, 1996, who ceases to meet the eligibility criteria set forth in subdivision (1) of this [section] **subsection** as a result of the collection or increased collection of child or spousal support under part IV-D of the Social Security Act, 42 U.S.C. 651 et seq., and who has received such aid in at least three of the six months immediately preceding the month in which ineligibility begins, shall be deemed eligible for an additional four calendar months beginning with the month in which such ineligibility begins.

2. For determination of eligibility under subsection 1 of this section, less restrictive income methodologies as authorized in 42 U.S.C. Section 1396 u1(b)(2)(C) shall be used to disregard two-thirds of earned income in place of the disregard of thirty dollars of earned income plus one-third of remaining earned income. Such disregard shall not be time limited and shall be applied on all income eligibility tests except gross income."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Zweifel moved that **House Amendment No. 18** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Aull	Avery	Baker 25	Brandom	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Day	Donnelly	El-Amin	Faith
Fallert	Frame	George	Grill	Grisamore
Harris 23	Harris 110	Hodges	Holsman	Hubbard
Komo	Kraus	Lampe	LeVota	Liese
Low 39	Marsh	McClanahan	Meadows	Meiners
Nance	Nasheed	Nolte	Norr	Oxford
Page	Portwood	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Silvey	Skaggs	Smith 150	Spreng	Storch
Stream	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Witte	Wright 159	Yaeger
Zimmerman	Zweifel			

NOES: 078

Baker 123	Bearden	Bivins	Brown 30	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Denison

Dethrow	Dixon	Dusenberg	Emery	Ervin
Fares	Fisher	Flook	Franz	Funderburk
Guest	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kelly	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nieves	Onder	Parson	Pearce
Pollock	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Smith 14	Stevenson	St. Onge	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	Bowman	Brown 50	Curls	Dougherty
Haywood	Hughes	Johnson	Kingery	Kratky
Kuessner	Lowe 44	Salva	Walton	Whorton
Wildberger	Wright-Jones	Young		

Representative Zweifel offered **House Amendment No. 19.**

House Amendment No. 19

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 1, In the Title, Line 5, by inserting after "RSMo," the following:

"and section 208.755 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after "RSMo," the following:

"and section 208.755 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 104, Section 208.014, Line 29, by inserting after all of said line the following:

"[208.755. 1. There is hereby established within the department of economic development a program to be known as the "Family Development Account Program". The program shall provide eligible families and individuals with an opportunity to establish special savings accounts for moneys which may be used by such families and individuals for education, home ownership or small business capitalization.

2. The department shall solicit proposals from community-based organizations seeking to administer the accounts on a not-for-profit basis. Community-based organization proposals shall include:

- (1) A requirement that the individual account holder or the family of an account holder match the contributions of a community-based organization member by contributing cash;
- (2) A process for including account holders in decision making regarding the investment of funds in the accounts;
- (3) Specifications of the population or populations targeted for priority participation in the program;

(4) A requirement that the individual account holder or the family of an account holder attend economic literacy seminars;

(5) A process for including economic literacy seminars in the family development account program; and

(6) A process for regular evaluation and review of family development accounts to ensure program compliance by account holders.

3. In reviewing the proposals of community-based organizations, the department shall consider the following factors:

(1) The not-for-profit status of such organization;

(2) The fiscal accountability of the community-based organization;

(3) The ability of the community-based organization to provide or raise moneys for matching contributions;

(4) The ability of the community-based organization to establish and administer a reserve fund account which shall receive all contributions from program contributors; and

(5) The significance and quality of proposed auxiliary services, including economic literacy seminars, and their relationship to the goals of the family development account program.

4. No more than [twenty] **fifteen** percent of all funds in the reserve fund account may be used for administrative costs of the program in each of the first two years of the program, and no more than [fifteen] **ten** percent of such funds may be used for administrative costs for any subsequent year. Funds deposited by account holders shall not be used for administrative costs.

5. The department shall promulgate rules and regulations to implement and administer the provisions of sections 208.750 to 208.775. No rule or portion of a rule promulgated pursuant to the authority of sections 208.750 to 208.775 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Zweifel, **House Amendment No. 19** was adopted.

Representative Holsman offered **House Amendment No. 20**.

House Amendment No. 20

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 41, Section 208.152, Line 238, by inserting after the number “(27)” the following:

“Home nursing visits for newborn infants. Such nursing services shall consist of home visits designed to prevent infant mortality, child abuse and neglect for at-risk infants by providing health care, education, and positive parenting skills and shall be capable of providing follow-up care as needed for up to twenty-four months after the initial visit. For the purposes of this section, “at risk” may include infants born medically fragile, chemically dependent, or deemed by the treating physician as displaying failure to thrive or born to a chemically dependent parent, to a teenage mother, to a mentally or physically challenged mother, to a family where there has been a history of prior premature births, abuse or neglect, or domestic violence.

(a) This shall be developed as a three-year pilot project, using a maximum of four hundred fifty thousand dollars general revenue, in a county of the first classification with more than eighty thousand but fewer than ninety thousand inhabitants, a county of the third classification with more than nineteen thousand five hundred but less than twenty-one thousand five hundred inhabitants, a county with a charter form of government and with more than one million inhabitants, a city not within a county, and a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants.

(b) The division shall request appropriate waivers or state plan amendments from the Secretary of the federal Department of Health and Human Services to permit the establishment of this pilot project; (28)”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Page offered **House Substitute Amendment No. 1 for House Amendment No. 20**.

Representative Pratt raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 20** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Holsman, **House Amendment No. 20** was adopted by the following vote:

AYES: 101

Aull	Avery	Baker 25	Brandom	Bringer
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 158
Corcoran	Cunningham 145	Daus	Day	Deeken
Dempsey	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Faith	Fallert	Fares	Flook
Frame	Funderburk	George	Grill	Grisamore
Harris 23	Harris 110	Hodges	Holsman	Hubbard
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
McClanahan	McGhee	Meadows	Meiners	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Oxford	Page	Pollock	Portwood	Pratt
Quinn 9	Robinson	Roorda	Rucker	Ruzicka
Salva	Sander	Scavuzzo	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Walsh	Wasson	Wells	Weter
Wilson 130	Witte	Yaeger	Yates	Zimmerman
Zweifel				

NOES: 044

Baker 123	Bearden	Bivins	Brown 30	Cooper 120
Cooper 155	Cox	Cunningham 86	Davis	Denison
Dethrow	Emery	Ervin	Fisher	Franz
Guest	Hobbs	Hoskins	Hunter	Ice
Jones 89	Jones 117	Kelly	May	Moore
Munzlinger	Onder	Parson	Pearce	Quinn 7
Richard	Robb	Ruestman	Sater	Schaaf
Schad	Scharnhorst	Stevenson	St. Onge	Viebrock
Wilson 119	Wood	Wright 159	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	Bowman	Brown 50	Curls	Darrrough
Haywood	Hughes	Johnson	Kingery	Kratky
Kuessner	Lowe 44	Wallace	Walton	Whorton
Wildberger	Wright-Jones	Young		

Representative Donnelly offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 38, Section 208.152, Line 160, by inserting after the word "therapy" the following:

"and any evaluation required to make the determination of medically necessary"; and

Further amend said section, Line 198, by inserting after the word "wheelchairs" the words "and any evaluation required to make the determination of medically necessary"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Donnelly, **House Amendment No. 21** was adopted by the following vote:

AYES: 114

Aull	Avery	Baker 25	Brandom	Bringer
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Day	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Faith	Fallert	Fares	Fisher	Frame
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hubbard	Jones 117	Kelly	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Oxford	Page	Pearce	Portwood	Pratt
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruzicka	Salva	Sander	Scavuzzo
Schaaf	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Walsh	Wasson	Weter	Wilson 130	Witte
Wright 159	Yaeger	Yates	Zimmerman	

NOES: 031

Baker 123	Bearden	Bivins	Brown 30	Cooper 120
Cox	Davis	Dethrow	Emery	Ervin
Flook	Franz	Hoskins	Hunter	Icet
Jones 89	Onder	Parson	Pollock	Quinn 7
Ruestman	Sater	Schad	Stevenson	Sutherland
Viebrock	Wallace	Wells	Wilson 119	Wood
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Meadows	Walton	Whorton	Wildberger
Wright-Jones	Young	Zweifel		

Representative Fallert offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 66, Section 208.750, Line 25, by inserting after all of said section the following:

“208.784. 1. The program shall coordinate prescription drug coverage with the Medicare Part D prescription drug benefit, including related supplies as determined by the department, who:

(1) Is a resident of the state of Missouri and is either:

(a) Sixty-five years of age or older; [or]

(b) **Sixty-five years of age or older and retired; or**

(c) Is disabled and receiving a Social Security benefit and is enrolled in the Medicare program;

(2) Is enrolled in a Medicare Part D drug plan;

(3) Is not a member of a retirement plan that is receiving a benefit under the Medicare Prescription Drug, Improvement and Modernization Act of 2003, P.L. 108-173.

2. The department shall give initial enrollment priority to the Medicaid dual eligible population. A second enrollment priority will be afforded to Medicare-eligible applicants with annual household incomes at or below one hundred fifty percent of the federal poverty guidelines who also meet the asset test. **A third enrollment priority will be afforded to Medicare-eligible applicants who are retired with annual household incomes of up to twenty-five thousand dollars for individuals and up to fifty thousand dollars for married couples.** Medicaid dual eligible persons may be automatically enrolled into the program, as long as they may opt out of the program if they so choose. The department shall determine the procedures for automatic enrollment in, and election out of, the Missouri Rx plan. Applicants meeting the eligibility requirements set forth in this section may begin enrolling in the program as determined by the department.

3. An individual or married couple who meet the eligibility requirements in subsection 1 of this section and who are not Medicaid dual eligible persons may apply for enrollment in the program by submitting an application to the department, or the department's designee, that attests to the age, residence, household income, and liquid assets of the individual or couple.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fallert moved that **House Amendment No. 22** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Aull	Avery	Baker 25	Brandom	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Day	Donnelly	Dougherty	El-Amin
Faith	Fallert	Fares	Frame	George
Grill	Grisamore	Harris 23	Harris 110	Hodges
Holsman	Hubbard	Komo	Kraus	Lampe
LeVota	Liese	Low 39	Marsh	McClanahan
Meiners	Nance	Nasheed	Nolte	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schneider

Schoemehl	Shively	Silvey	Skaggs	Smith 150
Spreng	Storch	Stream	Swinger	Talboy
Tilley	Todd	Villa	Vogt	Walsh
Witte	Wright 159	Yaeger	Zimmerman	Zweifel

NOES: 075

Baker 123	Bearden	Bivins	Brown 30	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fisher	Flook	Franz	Funderburk	Guest
Hobbs	Hoskins	Hunter	Ice	Jones 89
Jones 117	Kelly	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nieves	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Smith 14	Stevenson	St. Onge	Sutherland	Thomson
Threlkeld	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Meadows	Viebrock	Walton	Whorton
Wildberger	Wright-Jones	Young		

Representative Chappelle-Nadal offered **House Amendment No. 23.**

House Amendment No. 23

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 25, Section 208.001, Line 22, by inserting after all of said line the following:

"208.010. 1. In determining the eligibility of a claimant for public assistance pursuant to this law, it shall be the duty of the division of family services to consider and take into account all facts and circumstances surrounding the claimant, including his or her living conditions, earning capacity, income and resources, from whatever source received, and if from all the facts and circumstances the claimant is not found to be in need, assistance shall be denied. In determining the need of a claimant, the costs of providing medical treatment which may be furnished pursuant to sections 208.151 to 208.158 and 208.162 shall be disregarded. The amount of benefits, when added to all other income, resources, support, and maintenance shall provide such persons with reasonable subsistence compatible with decency and health in accordance with the standards developed by the division of family services; provided, when a husband and wife are living together, the combined income and resources of both shall be considered in determining the eligibility of either or both. "Living together" for the purpose of this chapter is defined as including a husband and wife separated for the purpose of obtaining medical care or nursing home care, except that the income of a husband or wife separated for such purpose shall be considered in determining the eligibility of his or her spouse, only to the extent that such income exceeds the amount necessary to meet the needs (as defined by rule or regulation of the division) of such husband or wife living separately. In determining the need of a claimant in federally aided programs there shall be disregarded such amounts per month of earned income in making such determination as shall be required for federal participation by the provisions of the federal Social Security Act (42 U.S.C.A. 301 et seq.), or any amendments thereto. When federal

law or regulations require the exemption of other income or resources, the division of family services may provide by rule or regulation the amount of income or resources to be disregarded.

2. Benefits shall not be payable to any claimant who:

(1) Has or whose spouse with whom he or she is living has, prior to July 1, 1989, given away or sold a resource within the time and in the manner specified in this subdivision. In determining the resources of an individual, unless prohibited by federal statutes or regulations, there shall be included (but subject to the exclusions pursuant to subdivisions (4) and (5) of this subsection, and subsection 5 of this section) any resource or interest therein owned by such individual or spouse within the twenty-four months preceding the initial investigation, or at any time during which benefits are being drawn, if such individual or spouse gave away or sold such resource or interest within such period of time at less than fair market value of such resource or interest for the purpose of establishing eligibility for benefits, including but not limited to benefits based on December, 1973, eligibility requirements, as follows:

(a) Any transaction described in this subdivision shall be presumed to have been for the purpose of establishing eligibility for benefits or assistance pursuant to this chapter unless such individual furnishes convincing evidence to establish that the transaction was exclusively for some other purpose;

(b) The resource shall be considered in determining eligibility from the date of the transfer for the number of months the uncompensated value of the disposed of resource is divisible by the average monthly grant paid or average Medicaid payment in the state at the time of the investigation to an individual or on his or her behalf under the program for which benefits are claimed, provided that:

a. When the uncompensated value is twelve thousand dollars or less, the resource shall not be used in determining eligibility for more than twenty-four months; or

b. When the uncompensated value exceeds twelve thousand dollars, the resource shall not be used in determining eligibility for more than sixty months;

(2) The provisions of subdivision (1) of this subsection shall not apply to a transfer, other than a transfer to claimant's spouse, made prior to March 26, 1981, when the claimant furnishes convincing evidence that the uncompensated value of the disposed of resource or any part thereof is no longer possessed or owned by the person to whom the resource was transferred;

(3) Has received, or whose spouse with whom he or she is living has received, benefits to which he or she was not entitled through misrepresentation or nondisclosure of material facts or failure to report any change in status or correct information with respect to property or income as required by section 208.210. A claimant ineligible pursuant to this subsection shall be ineligible for such period of time from the date of discovery as the division of family services may deem proper; or in the case of overpayment of benefits, future benefits may be decreased, suspended or entirely withdrawn for such period of time as the division may deem proper;

(4) Owns or possesses resources in the sum of one thousand dollars or more, **except that for eligibility for medical assistance, the resource limit shall be two thousand five hundred dollars or more**; provided, however, that if such person is married and living with spouse, he or she, or they, individually or jointly, may own resources not to exceed two thousand dollars, **except that for eligibility for medical assistance, the resource limit shall be five thousand dollars or more**; and provided further, that in the case of a temporary assistance for needy families claimant, the provision of this subsection shall not apply;

(5) Prior to October 1, 1989, owns or possesses property of any kind or character, excluding amounts placed in an irrevocable prearranged funeral or burial contract pursuant to subsection 2 of section 436.035, RSMo, and subdivision (5) of subsection 1 of section 436.053, RSMo, or has an interest in property, of which he or she is the record or beneficial owner, the value of such property, as determined by the division of family services, less encumbrances of record, exceeds twenty-nine thousand dollars, or if married and actually living together with husband or wife, if the value of his or her property, or the value of his or her interest in property, together with that of such husband and wife, exceeds such amount;

(6) In the case of temporary assistance for needy families, if the parent, stepparent, and child or children in the home owns or possesses property of any kind or character, or has an interest in property for which he or she is a record or beneficial owner, the value of such property, as determined by the division of family services and as allowed by federal law or regulation, less encumbrances of record, exceeds one thousand dollars, excluding the home occupied by the claimant, amounts placed in an irrevocable prearranged funeral or burial contract pursuant to subsection 2 of section 436.035, RSMo, and subdivision (5) of subsection 1 of section 436.053, RSMo, one automobile which shall not exceed a value set forth by federal law or regulation and for a period not to exceed six months, such other real property which the family is making a good-faith effort to sell, if the family agrees in writing with the division of family services to sell such property and from the net proceeds of the sale repay the amount of assistance received during such period. If the

property has not been sold within six months, or if eligibility terminates for any other reason, the entire amount of assistance paid during such period shall be a debt due the state;

(7) Is an inmate of a public institution, except as a patient in a public medical institution.

3. In determining eligibility and the amount of benefits to be granted pursuant to federally aided programs, the income and resources of a relative or other person living in the home shall be taken into account to the extent the income, resources, support and maintenance are allowed by federal law or regulation to be considered.

4. In determining eligibility and the amount of benefits to be granted pursuant to federally aided programs, the value of burial lots or any amounts placed in an irrevocable prearranged funeral or burial contract pursuant to subsection 2 of section 436.035, RSMo, and subdivision (5) of subsection 1 of section 436.053, RSMo, shall not be taken into account or considered an asset of the burial lot owner or the beneficiary of an irrevocable prearranged funeral or funeral contract. For purposes of this section, "burial lots" means any burial space as defined in section 214.270, RSMo, and any memorial, monument, marker, tombstone or letter marking a burial space. If the beneficiary, as defined in chapter 436, RSMo, of an irrevocable prearranged funeral or burial contract receives any public assistance benefits pursuant to this chapter and if the purchaser of such contract or his or her successors in interest cancel or amend the contract so that any person will be entitled to a refund, such refund shall be paid to the state of Missouri up to the amount of public assistance benefits provided pursuant to this chapter with any remainder to be paid to those persons designated in chapter 436, RSMo.

5. In determining the total property owned pursuant to subdivision (5) of subsection 2 of this section, or resources, of any person claiming or for whom public assistance is claimed, there shall be disregarded any life insurance policy, or prearranged funeral or burial contract, or any two or more policies or contracts, or any combination of policies and contracts, which provides for the payment of one thousand five hundred dollars or less upon the death of any of the following:

- (1) A claimant or person for whom benefits are claimed; or
- (2) The spouse of a claimant or person for whom benefits are claimed with whom he or she is living.

If the value of such policies exceeds one thousand five hundred dollars, then the total value of such policies may be considered in determining resources; except that, in the case of temporary assistance for needy families, there shall be disregarded any prearranged funeral or burial contract, or any two or more contracts, which provides for the payment of one thousand five hundred dollars or less per family member.

6. Beginning September 30, 1989, when determining the eligibility of institutionalized spouses, as defined in 42 U.S.C. Section 1396r-5, for medical assistance benefits as provided for in section 208.151 and 42 U.S.C. Sections 1396a et seq., the division of family services shall comply with the provisions of the federal statutes and regulations. As necessary, the division shall by rule or regulation implement the federal law and regulations which shall include but not be limited to the establishment of income and resource standards and limitations. The division shall require:

(1) That at the beginning of a period of continuous institutionalization that is expected to last for thirty days or more, the institutionalized spouse, or the community spouse, may request an assessment by the division of family services of total countable resources owned by either or both spouses;

(2) That the assessed resources of the institutionalized spouse and the community spouse may be allocated so that each receives an equal share;

(3) That upon an initial eligibility determination, if the community spouse's share does not equal at least twelve thousand dollars, the institutionalized spouse may transfer to the community spouse a resource allowance to increase the community spouse's share to twelve thousand dollars;

(4) That in the determination of initial eligibility of the institutionalized spouse, no resources attributed to the community spouse shall be used in determining the eligibility of the institutionalized spouse, except to the extent that the resources attributed to the community spouse do exceed the community spouse's resource allowance as defined in 42 U.S.C. Section 1396r-5;

(5) That beginning in January, 1990, the amount specified in subdivision (3) of this subsection shall be increased by the percentage increase in the Consumer Price Index for All Urban Consumers between September, 1988, and the September before the calendar year involved; and

(6) That beginning the month after initial eligibility for the institutionalized spouse is determined, the resources of the community spouse shall not be considered available to the institutionalized spouse during that continuous period of institutionalization.

7. Beginning July 1, 1989, institutionalized individuals shall be ineligible for the periods required and for the reasons specified in 42 U.S.C. Section 1396p.

8. The hearings required by 42 U.S.C. Section 1396r-5 shall be conducted pursuant to the provisions of section 208.080.

9. Beginning October 1, 1989, when determining eligibility for assistance pursuant to this chapter there shall be disregarded unless otherwise provided by federal or state statutes, the home of the applicant or recipient when the home is providing shelter to the applicant or recipient, or his or her spouse or dependent child. The division of family services shall establish by rule or regulation in conformance with applicable federal statutes and regulations a definition of the home and when the home shall be considered a resource that shall be considered in determining eligibility.

10. Reimbursement for services provided by an enrolled Medicaid provider to a recipient who is duly entitled to Title XIX Medicaid and Title XVIII Medicare Part B, Supplementary Medical Insurance (SMI) shall include payment in full of deductible and coinsurance amounts as determined due pursuant to the applicable provisions of federal regulations pertaining to Title XVIII Medicare Part B, except the applicable Title XIX cost sharing.

11. A "community spouse" is defined as being the noninstitutionalized spouse.

12. An institutionalized spouse applying for Medicaid and having a spouse living in the community shall be required, to the maximum extent permitted by law, to divert income to such community spouse to raise the community spouse's income to the level of the minimum monthly needs allowance, as described in 42 U.S.C. Section 1396r-5. Such diversion of income shall occur before the community spouse is allowed to retain assets in excess of the community spouse protected amount described in 42 U.S.C. Section 1396r-5."; and

Further amend said bill, Page 45, Section 208.153, Line 74, by inserting after all of said line the following:

"208.174. 1. Within thirty days of August 28, 1992, the director of the department of social services shall apply to the United States Secretary of Health and Human Services for an amendment of the waiver of comparability of services for persons under section 42 U.S.C. 1396a (a)(10)(A)(ii)(VI) to include medical assistance benefits for persons who are defined in 42 U.S.C. 1396 r-5.

2. Upon receipt of an amended waiver received pursuant to subsection 1 of this section, the director of the department of social services shall, subject to appropriations made for such purpose, promulgate rules and regulations to extend eligibility for medical assistance benefits by applying institutional status to individuals who are at risk of placement in an intermediate care facility or skilled nursing facility licensed pursuant to chapter 198, RSMo, but who, with the provision of home and community based services, may be cared for at home.

3. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

4. Within thirty days of August 28, 2007, the director of the department of social services shall apply to the United States Secretary of Health and Human Services for an amendment to the home and community-based waiver to extend medical assistance benefits under such waiver to persons with incomes up to three hundred percent of the federal poverty level. Upon receipt of an amended waiver received under this subsection, the director shall, subject to appropriations made for such purpose, promulgate rules to extend eligibility for medical assistance benefits under the home and community-based waiver to persons with incomes up to three hundred percent of the federal poverty level."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Chapelle-Nadal moved that **House Amendment No. 23** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Aull	Avery	Baker 25	Brandom	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	Dougherty	El-Amin	Faith
Fallert	Frame	George	Grill	Grisamore
Harris 23	Harris 110	Hodges	Holsman	Hubbard
Komo	Kraus	Lampe	LeVota	Liese
Low 39	Marsh	McClanahan	McGhee	Meiners

Muschany	Nance	Nasheed	Nolte	Norr
Oxford	Page	Pollock	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Silvey	Skaggs	Smith 150
Spreng	Storch	Stream	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Wells
Witte	Wright 159	Yaeger	Zimmerman	Zweifel

NOES: 075

Baker 123	Bearden	Bivins	Brown 30	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Fares	Fisher	Flook	Franz
Funderburk	Guest	Hobbs	Hoskins	Hunter
Jones 89	Jones 117	Kelly	Lembke	Lipke
Loehner	May	Moore	Munzlinger	Nieves
Onder	Parson	Pearce	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Smith 14
Stevenson	St. Onge	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Weter
Wilson 119	Wilson 130	Wood	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Ice	Johnson	Kingery	Kratky
Kuessner	Lowe 44	Meadows	Walton	Whorton
Wildberger	Wright-Jones	Young		

Representative LeVota offered **House Amendment No. 24.**

House Amendment No. 24

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 69, Section 208.950.1, Line 27, by inserting after the word "participants," the following:

"including members".

Representative Skaggs offered **House Amendment No. 1 to House Amendment No. 24.**

Representative Yates raised a point of order that **House Amendment No. 1 to House Amendment No. 24** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative LeVota moved that **House Amendment No. 24** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Daus	Day	Donnelly
Dougherty	El-Amin	Fallert	Flook	Frame
George	Grill	Grisamore	Harris 23	Harris 110
Hodges	Holsman	Hubbard	Komo	Kraus
Lampe	LeVota	Liese	Low 39	Marsh
McClanahan	Meiners	Muschany	Nance	Nasheed
Norr	Oxford	Page	Portwood	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Silvey	Skaggs
Smith 150	Spreng	Storch	Stream	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Witte	Yaeger	Zimmerman	Zweifel	

NOES: 079

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Franz
Funderburk	Guest	Hobbs	Hoskins	Hunter
Jones 89	Jones 117	Kelly	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Smith 14	Stevenson	St. Onge	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 020

Bland	Bowman	Brown 50	Cooper 120	Curls
Darrough	Haywood	Hughes	Icet	Johnson
Kingery	Kratky	Kuessner	Lowe 44	Meadows
Walton	Whorton	Wildberger	Wright-Jones	Young

Representative Talboy offered **House Amendment No. 25**.

House Amendment No. 25

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 103, Section 4, Line 9, by inserting after said line:

"Section 5. 1. No person related within the second degree of consanguinity or affinity of a statewide officeholder who is working as a lobbyist, consultant, or principal shall be awarded a contract for services under sections 208.950 to 208.975, RSMo.

2. No entity employing such person or the clients of such person or entity shall be awarded a contract for services under sections 208.950 to 208.975, RSMo."

On motion of Representative Talboy, **House Amendment No. 25** was adopted by the following vote:

AYES: 107

Aull	Avery	Baker 25	Baker 123	Bringer
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cox	Cunningham 145
Darrough	Daus	Day	Deeken	Dempsey
Denison	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Faith	Fallert	Fares	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	McClanahan	McGhee	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Page	Parson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Robinson
Roorda	Rucker	Ruzicka	Salva	Scavuzzo
Schad	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Threlkeld
Todd	Villa	Vogt	Walsh	Weter
Wilson 130	Witte	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 038

Bearden	Bivins	Brandom	Cooper 155	Cunningham 86
Davis	Dethrow	Emery	Ervin	Fisher
Funderburk	Hoskins	Hubbard	Hunter	Jones 89
Jones 117	Kelly	May	Moore	Onder
Pollock	Richard	Robb	Ruestman	Sander
Sater	Schaaf	Scharnhorst	Stevenson	Thomson
Tilley	Viebrock	Wallace	Wasson	Wells
Wilson 119	Wood	Wright 159		

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	Bowman	Brown 50	Curls	Haywood
Hughes	Ice	Johnson	Kingery	Kratky
Kuessner	Lowe 44	Meadows	Walton	Whorton
Wildberger	Wright-Jones	Young		

Representative Oxford offered **House Amendment No. 26.**

House Amendment No. 26

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 17, Section 191.905, Line 126, by inserting after said line:

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"16. Any person who violates the provisions of this section shall be forever excluded from participation as a provider for the MO HealthNet program."

On motion of Representative Oxford, **House Amendment No. 26** was adopted by the following vote:

AYES: 113

Aull	Avery	Baker 25	Baker 123	Bivins
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 158	Corcoran	Cunningham 145	Daus
Day	Deeken	Dempsey	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Flook	Frame	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hubbard
Jones 117	Komo	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	McClanahan	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Page	Parson	Portwood
Pratt	Quinn 7	Quinn 9	Robb	Robinson
Roorda	Rucker	Ruzicka	Salva	Sander
Sater	Scavuzzo	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Talboy	Thomson
Threlkeld	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 030

Bearden	Brandom	Cooper 120	Cooper 155	Cox
Cunningham 86	Davis	Denison	Dethrow	Dougherty
Fisher	Franz	Hoskins	Hunter	Jones 89
Kelly	May	McGhee	Onder	Pearce
Pollock	Richard	Ruestman	Schaaf	Schad
Self	Stevenson	Tilley	Wasson	Wells

PRESENT: 000

ABSENT WITH LEAVE: 020

Bland	Bowman	Brown 50	Curls	Darrough
Haywood	Hughes	Ice	Johnson	Kingery
Kratky	Kuessner	Lowe 44	Meadows	Swinger
Walton	Whorton	Wildberger	Wright-Jones	Young

Representative Bowman offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Pages 12 and 13, Section 191.411, Lines 1 to 35, by deleting all of said lines;

Further amend said bill, Page 14, Section 191.900, Line 29, by deleting the words "**MO HealthNet, or**"; and

Further amend said bill, Page 16, Section 191.905, Lines 67 to 91, by deleting all of said lines and inserting in lieu thereof the following:

"deposited to the credit of the "Medicaid Fraud Prosecution Revolving Fund", which is hereby established in the state treasury. Moneys in the Medicaid fraud prosecution revolving fund may be appropriated to the attorney general, or to any prosecuting or circuit attorney who has successfully prosecuted an action for a violation of sections 191.900 to 191.910 and been awarded such costs of prosecution, in order to defray the costs of the attorney general and any such prosecuting or circuit attorney in connection with their duties provided by sections 191.900 to 191.910. No moneys shall be paid into the Medicaid fraud protection revolving fund pursuant to this subsection unless the attorney general or appropriate prosecuting or circuit attorney shall have commenced a prosecution pursuant to this section, and the court finds in its discretion that payment of attorneys' fees and investigative costs is appropriate under all the circumstances, and the attorney general and prosecuting or circuit attorney shall prove to the court those expenses which were reasonable and necessary to the investigation and prosecution of such case, and the court approves such expenses as being reasonable and necessary. The provisions of section 33.080, RSMo, notwithstanding, moneys in the Medicaid fraud prosecution revolving fund shall not lapse at the end of the biennium."; and

Further amend said bill, Page 19, Section 191.909, Lines 23 to 38, by deleting all of said lines and inserting in lieu thereof the following:

"(1) The number of Medicaid provider and participant investigations and audits relating to allegations of violations under sections 191.900 to 191.910 completed within the reporting year, including the age and type of cases;

(2) The number of Medicaid long-term care facility reviews;
(3) The number of Medicaid provider and participant utilization reviews;
(4) The number of referrals sent by the department to the attorney general's office;
(5) The total amount of overpayments identified as the result of completed investigations, reviews, or audits;

(6) The amount of fines and restitutions ordered to be reimbursed, with a delineation between amounts the provider has been ordered to repay, including whether or not such repayment will be completed in a lump sum payment or installment payments, and any adjustments or deductions ordered to future provider payments;

(7) The total amount of monetary recovery as the result of completed investigation, reviews, or audits;

(8) The number of administrative sanctions against Medicaid providers, including the number of providers excluded from the program."; and

Further amend said bill, Pages 25 to 48, Sections 208.001, 208.151, 208.152, 208.153, 208.197, 208.201, and 208.212, by deleting all of said sections and inserting in lieu thereof the following:

"208.014. 1. There is hereby established the "Medicaid Reform Commission". The commission shall have as its purpose the study and review of recommendations for reforms of the state Medicaid system. The commission shall consist of ten members:

- (1) Five members of the house of representatives appointed by the speaker; and
- (2) Five members of the senate appointed by the pro tem.

No more than three members from each house shall be of the same political party. The directors of the department of social services, the department of health and senior services, and the department of mental health or the directors' designees shall serve as ex officio members of the commission.

2. Members of the commission shall be reimbursed for the actual and necessary expenses incurred in the discharge of the member's official duties.

3. A chair of the commission shall be selected by the members of the commission.

4. The commission shall meet as necessary.

5. The commission is authorized to contract with a consultant. The compensation of the consultant and other personnel shall be paid from the joint contingent fund or jointly from the senate and house contingent funds until an appropriation is made therefor.

6. The commission shall make recommendations in a report to the general assembly by January 1, 2006, on reforming, redesigning, and restructuring a new, innovative state Medicaid healthcare delivery system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30 et. seq.) as amended, to replace the current state Medicaid system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30, et seq.), which shall sunset on June 30, [2008] **2013**.

208.152. 1. Benefit payments for medical assistance shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the division of medical services shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the Medicaid children's diagnosis length-of-stay schedule; and provided further that the division of medical services shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et seq.), but the division of medical services may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the division of medical services not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for recipients, except to persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. 301, et seq.), as amended, for nursing facilities. The division of medical services may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of Medicaid patients. The division of medical services when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for recipients of benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the recipient is on a temporary leave of absence from the hospital or nursing home, provided that no such recipient shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term "temporary leave of absence" shall include all periods of time during which a recipient is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) **Dental services;**

(8) **Services of podiatrists as defined in section 330.010, RSMo;**

(9) Drugs and medicines when prescribed by a licensed physician, dentist, or podiatrist; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, or podiatrist may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

[(8)] (10) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

[(9)] (11) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

[(10)] (12) Home health care services;

[(11)] (13) **Optometric services as defined in section 336.010, RSMo;**

(14) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the Medicaid agency that, in his professional judgment, the life of the mother would be endangered if the fetus were carried to term;

[(12)] (15) **Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;**

(16) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. 1396d, et seq.);

[(13)] (17) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

[(14)] (18) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his physician on an outpatient, rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the recipient's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one recipient one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time;

[(15)] (19) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097, RSMo. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, "mental health professional" and "alcohol and drug abuse professional" shall be defined by the department of mental health pursuant to duly promulgated rules.

With respect to services established by this subdivision, the department of social services, division of medical services, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the division of medical services. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

[(16)] (20) **Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on**

an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The division of medical services shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations, and payment mechanism;

(21) Hospice care. As used in this subsection, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the division of medical services to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with Subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(22) Such additional services as defined by the division of medical services to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. 301, et seq.) subject to appropriation by the general assembly;

[(17)] (23) Beginning July 1, 1990, the services of a certified pediatric or family nursing practitioner to the extent that such services are provided in accordance with chapter 335, RSMo, and regulations promulgated thereunder, regardless of whether the nurse practitioner is supervised by or in association with a physician or other health care provider;

[(18)] (24) Nursing home costs for recipients of benefit payments under subdivision (4) of this subsection to reserve a bed for the recipient in the nursing home during the time that the recipient is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of Medicaid certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the recipient is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a recipient pursuant to this subdivision during any period of six consecutive months such recipient shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the recipient or the recipient's responsible party that the recipient intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the recipient or the recipient's responsible party prior to release of the reserved bed.

2. [Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010, RSMo;

(3) Optometric services as defined in section 336.010, RSMo;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subsection, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement

and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the division of medical services to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The division of medical services shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3.] Benefit payments for medical assistance for surgery as defined by rule duly promulgated by the division of medical services, and any costs related directly thereto, shall be made only when a second medical opinion by a licensed physician as to the need for the surgery is obtained prior to the surgery being performed.

[4.] **3.** The division of medical services may require any recipient of medical assistance to pay part of the charge or cost, as defined by rule duly promulgated by the division of medical services, for [all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657] **dental services, drugs and medicines, optometric services, eye glasses, dentures, hearing aids, and other services,** to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, RSMo, and a generic drug is substituted for a name brand drug, the division of medical services may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all recipients the partial payment that may be required by the division of medical services under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by recipients under this section shall be reduced from any payments made by the state for goods or services described herein except the recipient portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a recipient is unable to pay a required cost sharing. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give recipients advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a recipient. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the Missouri Medicaid state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

[5.] **4.** The division of medical services shall have the right to collect medication samples from recipients in order to maintain program integrity.

[6.] **5.** Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for medical assistance at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. 1396a and federal regulations promulgated thereunder.

[7.] **6.** Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

[8.] 7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for medical assistance under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

[9.] 8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. 1396a, as amended, and regulations promulgated thereunder.

[10.] 9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the Medicaid program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. 1396a (a)(13)(C).

[11.] 10. The department of social services, division of medical services, may enroll qualified residential care facilities, as defined in chapter 198, RSMo, as Medicaid personal care providers."; and

Further amend said bill, Pages 49 to 58, Sections 208.215, 208.217, and 208.225, by deleting all of said sections; and

Further amend said bill, Pages 58 and 59, Section 208.230, Lines 1 to 60, by deleting all of said lines and inserting in lieu thereof the following:

"208.230. 1. This section shall be known and may be cited as the "Public Assistance Beneficiary Employer Disclosure Act".

2. The department of social services is hereby directed to prepare a Medicaid beneficiary employer report to be submitted to the governor on a quarterly basis. Such report shall be known as the "Missouri Health Care Responsibility Report". For purposes of this section, a "Medicaid beneficiary" means a person who receives medical assistance from the state of Missouri under this chapter or Titles XIX or XXI of the federal Social Security Act, as amended. To aid in the preparation of the Missouri health care responsibility report, the department shall implement policies and procedures to acquire information required by the report. Such information sources may include, but are not limited to, the following:

- (1) Information required at the time of Medicaid application or during the yearly reverification process;**
- (2) Information that is accumulated from a vendor contracting with the state of Missouri to identify available insurance;**
- (3) Information that is voluntarily submitted by Missouri employers.**

3. The Missouri health care responsibility report shall provide the following information for each employer who has fifty or more employees that are a Medicaid beneficiary, the spouse of a Medicaid beneficiary, or a custodial parent of a Medicaid beneficiary:

- (1) The name of the qualified employer;**
- (2) The number of employees who are either Medicaid beneficiaries or are a financially responsible spouse or custodial parent of a Medicaid beneficiary under Title XIX of the federal Social Security Act, listed as a percentage of the qualified employer's Missouri workforce;**
- (3) The number of employees who are either Medicaid beneficiaries or are a financially responsible spouse or custodial parent of a Medicaid beneficiary under Title XXI of the federal Social Security Act (SCHIP), listed as a percentage of the qualified employer's Missouri workforce;**
- (4) For each employer, the number of employees who are Medicaid beneficiaries, the number of employees who are a financially responsible spouse or custodial parent of a Medicaid beneficiary and the number of Medicaid beneficiaries who are a spouse or a minor child less than nineteen years of age of an employee under Title XIX of the federal Social Security Act;**

(5) For each employer, the number of employees who are Medicaid beneficiaries, the number of employees who are a financially responsible spouse or a custodial parent of a Medicaid beneficiary, and the number of Medicaid beneficiaries who are a spouse or a minor child less than nineteen years of age of an employee under Title XXI of the federal Social Security Act;

- (6) Whether the reported Medicaid beneficiaries are full-time or part-time employees;**

(7) Information on whether the employer offers health insurance benefits to full-time and part-time employees, their spouses, and their dependents;

(8) Information on whether employees receive health insurance benefits through the employer when Medicaid pays some or all of the premiums for such health insurance benefits;

(9) The cost to the state of Missouri of providing Medicaid benefits for the employer's employees and enrolled dependents listed as total cost and per capita cost;

(10) The report shall make industry-wide comparisons by sorting employers into industry categories based on available information from the department of economic development.

4. If it is determined that a Medicaid beneficiary has more than one employer, the department of social services shall count the beneficiary as a portion of one person for each employer for purposes of this report.

5. The Missouri health care responsibility report shall be issued one hundred twenty days after the end of each calendar quarter, starting with the first calendar quarter of 2008. The report shall be made available for public viewing on the department of social services' web site. Any member of the public shall have the right to request and receive a printed copy of the report published under this section through the department of social services."; and

Further amend said bill, Page 60, Section 208.631, Lines 1 to 25, by deleting all of said lines and inserting in lieu thereof the following:

"208.631. 1. Notwithstanding any other provision of law to the contrary, the department of social services shall establish a program to pay for health care for uninsured children. Coverage pursuant to sections 208.631 to 208.660 is subject to appropriation. The provisions of sections 208.631 to 208.657 shall be void and of no effect after June 30, [2008] 2013.

2. For the purposes of sections 208.631 to 208.657, "children" are persons up to nineteen years of age. "Uninsured children" are persons up to nineteen years of age who are emancipated and do not have access to affordable employer-subsidized health care insurance or other health care coverage or persons whose parent or guardian have not had access to affordable employer-subsidized health care insurance or other health care coverage for their children for six months prior to application, are residents of the state of Missouri, and have parents or guardians who meet the requirements in section 208.636. A child who is eligible for medical assistance as authorized in section 208.151 is not uninsured for the purposes of sections 208.631 to 208.657."; and

Further amend said bill, Page 60, Section 208.631, Lines 23 and 24, by deleting the words "[medical assistance] **MO HealthNet benefits**" and inserting in lieu thereof the following "medical assistance"; and

Further amend said bill, Page 61, Section 208.659, Line 1, by deleting the words "**MO HealthNet**" and inserting in lieu thereof the words "**family support**"; and

Further amend said bill, Page 62, Section 208.670, Line 8, by deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**Medicaid**"; and

Further amend said bill, Page 62, Section 208.690, Line 12, by deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**Medicaid**"; and

Further amend said bill, Page 62, Section 208.690, Line 14, by deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**Medicaid**"; and

Further amend said bill, Page 63, Section 208.692, Lines 9, 11, 16, 17, 22 and 23, by deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**Medicaid**"; and

Further amend said bill, Page 64, Section 208.694, Line 2, by deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**Medicaid**"; and

Further amend said bill, Page 66, Section 208.930, Lines 5 and 6, by deleting the words "[non-Medicaid] **nonMO HealthNet**" and inserting in lieu thereof the following "non-Medicaid"; and

Further amend said bill, Page 66, Section 208.930, Line 13, by deleting the words "[Medicaid state] **nonMO HealthNet**" and inserting in lieu thereof the following "Medicaid state"; and

Further amend said bill, Pages 69 to 97, Sections 208.950 to 208.978, by deleting all of said sections; and

Further amend said bill, Page 100, Section 473.398, Line 29, by deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**Medicaid**"; and

Further amend said bill, Page 100, Section 473.398, Line 31, by deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**family support**"; and

Further amend said bill, Page 100, Section 473.398, Lines 31 and 32, deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**Medicaid**"; and

Further amend said bill, Page 100, Section 473.398, Line 33, deleting the words "**MO HealthNet**" and inserting in lieu thereof the word "**family support**"; and

Further amend said bill, Page 102, Section 1, Lines 1 to 16, by deleting all of said lines; and

Further amend said bill, Pages 103 to 104, Section 208.014, Lines 1 to 29, by deleting all of said section; and

Further amend said bill, Page 107, Section B, Lines 1 to 6, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Yates offered **House Amendment No. 1 to House Amendment No. 27.**

House Amendment No. 1 to House Amendment No. 27 was withdrawn.

Representative Bowman moved that **House Amendment No. 27** be adopted.

Which motion was defeated.

Representative Nasheed offered **House Amendment No. 28.**

House Amendment No. 28

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 1, In the Title, Lines 5 to 6, by deleting all of said lines and inserting in lieu thereof the following:

"new sections relating to medical assistance for needy persons."; and

Further amend said bill, Page 1, Section 191.411 to Page 25, Section 208.001, by deleting all of said sections from the bill and inserting in lieu thereof the following:

"208.014. 1. There is hereby established the "Medicaid Reform Commission". The commission shall have as its purpose the study and review of recommendations for reforms of the state Medicaid system. The commission shall consist of ten members:

- (1) Five members of the house of representatives appointed by the speaker; and
- (2) Five members of the senate appointed by the pro tem.

No more than three members from each house shall be of the same political party. The directors of the department of social services, the department of health and senior services, and the department of mental health or the directors' designees shall serve as ex officio members of the commission.

2. Members of the commission shall be reimbursed for the actual and necessary expenses incurred in the discharge of the member's official duties.

3. A chair of the commission shall be selected by the members of the commission.

4. The commission shall meet as necessary.

5. The commission is authorized to contract with a consultant. The compensation of the consultant and other personnel shall be paid from the joint contingent fund or jointly from the senate and house contingent funds until an appropriation is made therefor.

6. The commission shall make recommendations in a report to the general assembly by January 1, 2006, on reforming, redesigning, and restructuring a new, innovative state Medicaid healthcare delivery system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30 et. seq.) as amended, to replace the current state Medicaid system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30, et seq.), which shall sunset on June 30, [2008] **2010**."; and

Further amend said bill, Page 14, Section 208.151 to Page 48, Section 208.631, by deleting all of said sections from the bill and inserting in lieu thereof the following:

"208.631. 1. Notwithstanding any other provision of law to the contrary, the department of social services shall establish a program to pay for health care for uninsured children. Coverage pursuant to sections 208.631 to 208.660 is subject to appropriation. The provisions of sections 208.631 to 208.657 shall be void and of no effect after June 30, [2008] **2010**.

2. For the purposes of sections 208.631 to 208.657, "children" are persons up to nineteen years of age. "Uninsured children" are persons up to nineteen years of age who are emancipated and do not have access to affordable employer-subsidized health care insurance or other health care coverage or persons whose parent or guardian have not had access to affordable employer-subsidized health care insurance or other health care coverage for their children for six months prior to application, are residents of the state of Missouri, and have parents or guardians who meet the requirements in section 208.636. A child who is eligible for medical assistance as authorized in section 208.151 is not uninsured for the purposes of sections 208.631 to 208.657."; and

Further amend said bill, Page 48, Section 208.659 to Page 56, Section 208.930, by deleting all of said sections from the bill and inserting in lieu thereof the following:

"208.930. 1. As used in this section, the term "department" shall mean the department of health and senior services.

2. Subject to appropriations, the department may provide financial assistance for consumer-directed personal care assistance services through eligible vendors, as provided in sections 208.900 through 208.927, to each person who was participating as a non-Medicaid eligible client pursuant to sections 178.661 through 178.673, RSMo, on June 30, 2005, and who:

(1) Makes application to the department;

(2) Demonstrates financial need and eligibility under subsection 3 of this section;

(3) Meets all the criteria set forth in sections 208.900 through 208.927, except for subdivision (5) of subsection 1 of section 208.903;

(4) Has been found by the department of social services not to be eligible to participate under guidelines established by the Medicaid state plan; and

(5) Does not have access to affordable employer-sponsored health care insurance or other affordable health care coverage for personal care assistance services as defined in section 208.900. For purposes of this section, "access to affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium less than or equal to one hundred thirty-three percent of the monthly average premium required in the state's current Missouri consolidated health care plan.

Payments made by the department under the provisions of this section shall be made only after all other available sources of payment have been exhausted.

3. (1) In order to be eligible for financial assistance for consumer-directed personal care assistance services under this section, a person shall demonstrate financial need, which shall be based on the adjusted gross income and the assets of the person seeking financial assistance and such person's spouse.

(2) In order to demonstrate financial need, a person seeking financial assistance under this section and such person's spouse must have an adjusted gross income, less disability-related medical expenses, as approved by the department, that is equal to or less than three hundred percent of the federal poverty level. The adjusted gross income shall be based on the most recent income tax return.

(3) No person seeking financial assistance for personal care services under this section and such person's spouse shall have assets in excess of two hundred fifty thousand dollars.

4. The department shall require applicants and the applicant's spouse, and consumers and the consumer's spouse, to provide documentation for income, assets, and disability-related medical expenses for the purpose of determining financial need and eligibility for the program. In addition to the most recent income tax return, such documentation may include, but shall not be limited to:

- (1) Current wage stubs for the applicant or consumer and the applicant's or consumer's spouse;
- (2) A current W-2 form for the applicant or consumer and the applicant's or consumer's spouse;
- (3) Statements from the applicant's or consumer's and the applicant's or consumer's spouse's employers;
- (4) Wage matches with the division of employment security;
- (5) Bank statements; and
- (6) Evidence of disability-related medical expenses and proof of payment.

5. A personal care assistance services plan shall be developed by the department pursuant to section 208.906 for each person who is determined to be eligible and in financial need under the provisions of this section. The plan developed by the department shall include the maximum amount of financial assistance allowed by the department, subject to appropriation, for such services.

6. Each consumer who participates in the program is responsible for a monthly premium equal to the average premium required for the Missouri consolidated health care plan; provided that the total premium described in this section shall not exceed five percent of the consumer's and the consumer's spouse's adjusted gross income for the year involved.

7. (1) Nonpayment of the premium required in subsection 6 shall result in the denial or termination of assistance, unless the person demonstrates good cause for such nonpayment.

(2) No person denied services for nonpayment of a premium shall receive services unless such person shows good cause for nonpayment and makes payments for past-due premiums as well as current premiums.

(3) Any person who is denied services for nonpayment of a premium and who does not make any payments for past-due premiums for sixty consecutive days shall have their enrollment in the program terminated.

(4) No person whose enrollment in the program is terminated for nonpayment of a premium when such nonpayment exceeds sixty consecutive days shall be reenrolled unless such person pays any past-due premiums as well as current premiums prior to being reenrolled. Nonpayment shall include payment with a returned, refused, or dishonored instrument.

8. (1) Consumers determined eligible for personal care assistance services under the provisions of this section shall be reevaluated annually to verify their continued eligibility and financial need. The amount of financial assistance for consumer-directed personal care assistance services received by the consumer shall be adjusted or eliminated based on the outcome of the reevaluation. Any adjustments made shall be recorded in the consumer's personal care assistance services plan.

(2) In performing the annual reevaluation of financial need, the department shall annually send a reverification eligibility form letter to the consumer requiring the consumer to respond within ten days of receiving the letter and to provide income and disability-related medical expense verification documentation. If the department does not receive the consumer's response and documentation within the ten-day period, the department shall send a letter notifying the consumer that he or she has ten days to file an appeal or the case will be closed.

(3) The department shall require the consumer and the consumer's spouse to provide documentation for income and disability-related medical expense verification for purposes of the eligibility review. Such documentation may include but shall not be limited to the documentation listed in subsection 4 of this section.

9. (1) Applicants for personal care assistance services and consumers receiving such services pursuant to this section are entitled to a hearing with the department of social services if eligibility for personal care assistance services is denied, if the type or amount of services is set at a level less than the consumer believes is necessary, if disputes arise after preparation of the personal care assistance plan concerning the provision of such services, or if services are discontinued as provided in section 208.924. Services provided under the provisions of this section shall continue during the appeal process.

(2) A request for such hearing shall be made to the department of social services in writing in the form prescribed by the department of social services within ninety days after the mailing or delivery of the written decision of the department of health and senior services. The procedures for such requests and for the hearings shall be as set forth in section 208.080.

10. Unless otherwise provided in this section, all other provisions of sections 208.900 through 208.927 shall apply to individuals who are eligible for financial assistance for personal care assistance services under this section.

11. The department may promulgate rules and regulations, including emergency rules, to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. Any provisions of the existing rules regarding the personal care assistance program promulgated by the department of elementary and secondary education in title 5, code of state regulations, division 90, chapter 7, which are inconsistent with the provisions of this section are void and of no force and effect.

12. The provisions of this section shall expire on June 30, [2008] **2010.**"; and

Further amend said bill, Page 56, Section 208.950 to Page 69, Section 473.398, by deleting all of said sections from the bill; and

Further amend said bill, Pages 69 to 71, Sections 1 to 4, by deleting all of said sections from the bill; and

Further amend said bill, Pages 71 to 75, by deleting the bracketed Sections 208.014 to 660.557 from the bill; and

Further amend said bill, Page 75, Section B, by deleting all of said emergency clause; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Avery offered **House Amendment No. 1 to House Amendment No. 28.**

House Amendment No. 1
to
House Amendment No. 28

AMEND House Amendment No. 28 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 7, Line 3, by inserting immediately after all of said line the following:

Further amend said bill, Section 4, Page 103, Line 9, by inserting after all of said section the following:

"Section 5. For any participant who smokes or engages in the consumption of tobacco products, there will be a ten percent surcharge on any service received."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 1 to House Amendment No. 28** goes beyond the scope of the underlying amendment.

The Chair ruled the point of order not well taken.

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On motion of Representative Avery, **House Amendment No. 1 to House Amendment No. 28** was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hunter
Jones 89	Jones 117	Kelly	Kraus	Lembke
Lipke	Loehner	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sater	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wright 159	Yaeger	Yates
Mr Speaker				

NOES: 052

Aull	Baker 25	Bowman	Bringer	Bruns
Burnett	Casey	Chappelle-Nadal	Corcoran	Donnelly
El-Amin	Fallert	Fares	Frame	George
Harris 23	Hodges	Hoskins	Hubbard	Komo
Lampe	LeVota	Liese	Low 39	Marsh
McClanahan	Nasheed	Norr	Oxford	Pearce
Portwood	Quinn 9	Robinson	Roorda	Rucker
Salva	Sander	Scavuzzo	Schaaf	Schieffer
Silvey	Spreng	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Witte	Wood
Wright-Jones	Zweifel			

PRESENT: 003

Darrough	Holsman	Zimmerman
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ABSENT WITH LEAVE: 017

Bland	Brown 50	Curls	Haywood	Hughes
Ice	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Meadows	Page	Walton	Whorton
Wildberger	Young			

Representative Skaggs offered **House Amendment No. 2 to House Amendment No. 28**.

Representative Pratt raised a point of order that **House Amendment No. 2 to House Amendment No. 28** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Nasheed moved that **House Amendment No. 28, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Avery	Baker 25	Baker 123	Bowman
Bringer	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Davis	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hodges
Holsman	Hubbard	Komo	Kraus	Lampe
LeVota	Liese	Low 39	Marsh	McClanahan
Meiners	Nance	Nasheed	Nolte	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schneider
Schoemehl	Shively	Silvey	Skaggs	Smith 150
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

NOES: 076

Bearden	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Day	Deeken	Dempsey	Denison
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Hobbs	Hoskins	Jones 89	Jones 117	Kelly
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nieves	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Smith 14	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 019

Bland	Brown 50	Curls	Dethrow	Haywood
Hughes	Hunter	Ice	Johnson	Kingery
Kratky	Kuessner	Lowe 44	Meadows	Walton
Wasson	Whorton	Wildberger	Young	

Representative Burnett offered **House Amendment No. 29.**

House Amendment No. 29

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, Page 34, Section 208.151, Line 240, by inserting after said line:

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"7. Notwithstanding any other provision of law, eligibility requirements in the state Medicaid program shall be no more restrictive than those in effect on January 10, 2005."; and

Further amend, Page 43, Section 208.152, Line 318, by inserting after said line:

"11. Notwithstanding any other provision of law, state Medicaid services, cost-sharing (including co-payments and premiums), long-term care services criteria, and MC+ for kids affordability standards shall be no more restrictive than the state Medicaid program requirements in effect on January 10, 2005.".

Representative Burnett moved that **House Amendment No. 29** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Avery	Baker 25	Bowman	Brandom
Bringer	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fallert	Frame	George	Grill
Grisamore	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Komo	Kraus	Lampe	LeVota
Liese	Low 39	Marsh	McClanahan	Meiners
Nance	Nasheed	Nolte	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Silvey	Skaggs	Smith 150	Spreng	Storch
Stream	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Witte	Wright 159	Wright-Jones
Yaeger	Zimmerman	Zweifel		

NOES: 078

Baker 123	Bearden	Bivins	Brown 30	Bruns
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fares	Fisher	Flook	Franz	Funderburk
Guest	Hobbs	Hubbard	Hunter	Jones 89
Jones 117	Kelly	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nieves	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Smith 14	Stevenson	St. Onge	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Brown 50	Cooper 120	Curls	Haywood
Hughes	Icet	Johnson	Kingery	Kratky
Kuessner	Lowe 44	Meadows	Walton	Whorton
Wildberger	Young			

Speaker Jetton resumed the Chair.

On motion of Representative Schaaf, **HCS SS SCS SB 577, as amended**, was adopted by the following vote:

AYES: 085

Avery	Bearden	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Faith	Fares	Fisher	Flook
Funderburk	Grisamore	Guest	Hobbs	Hunter
Jones 89	Jones 117	Kelly	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 061

Aull	Baker 25	Baker 123	Bivins	Bowman
Bringer	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	El-Amin	Ervin
Fallert	Frame	Franz	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Komo	Kraus	Lampe	LeVota
Liese	Low 39	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Witte	Wright-Jones	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Brown 50	Curls	Haywood	Hughes
Icet	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Meadows	Muschany	Walton	Whorton
Wildberger	Young			

On motion of Representative Schaaf, **HCS SS SCS SB 577, as amended**, was read the third time and passed by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158

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Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Jones 89
Jones 117	Kelly	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 056

Aull	Baker 25	Bowman	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Komo	Lampe	LeVota
Liese	Low 39	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Witte	Wright-Jones	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Brown 50	Curls	Haywood	Hughes
Icet	Johnson	Kingery	Kratky	Kuessner
Lowe 44	Meadows	Walton	Whorton	Wildberger
Young				

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 130

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges

Hunter	Jones 89	Jones 117	Kelly	Komo
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 008

Bowman	Burnett	El-Amin	Hoskins	Hubbard
LeVota	Nasheed	Skaggs		

PRESENT: 006

Chappelle-Nadal	George	Harris 23	Holsman	Roorda
Spreng				

ABSENT WITH LEAVE: 019

Bland	Brown 50	Cooper 158	Curls	Haywood
Hughes	Ice	Johnson	Kingery	Kratky
Kuessner	Lowe 44	Meadows	Schneider	Walton
Whorton	Wildberger	Wilson 130	Young	

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1034**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 3**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 40**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 45 & 39**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 49, 65, 210 & 251**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 75**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 163**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SB 204**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 225**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 368**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 428**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 516**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 530**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 611**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS#2 SCS SB 333 - Fiscal Review (Fiscal Note)

HCS SB 516 - Fiscal Review (Fiscal Note)

CONFERENCE COMMITTEE REPORT NO. 2 ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 64

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, with House Amendment No. 3, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 4, as amended, and House Substitute Amendment No. 1 for House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 64;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Charles Shields
/s/ Robert Mayer
/s/ Jeff Smith

FOR THE HOUSE:

/s/ Maynard Wallace
/s/ Jane Cunningham
/s/ Scott Muschany
/s/ Joe Aull

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, May 14, 2007.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Monday, May 14, 2007, 12:00 p.m. Room 401B.
Public hearing to be held on: HB 574

CONFERENCE COMMITTEE NOTICE

Monday, May 14, 2007, 12:30 p.m. Senate Committee Room 2.
Public hearings to be held on: HCS SB 84, HCS SCS SB 82

CONFERENCE COMMITTEE NOTICE

Monday, May 14, 2007, 5:00 p.m. Senate Committee Room 1.
Public hearing to be held on: HCS SCS SB 156

FISCAL REVIEW

Monday, May 14, 2007, 12:00 p.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Tuesday, May 15, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Wednesday, May 16, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 17, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 18, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

HEALTH CARE POLICY

Monday, May 14, 2007, 12:00 p.m. Hearing Room 5.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 14, 2007, 11:00 a.m. Hearing Room 6.
Quarterly business meeting. Old/New Business.
Some portions of the meeting may be closed pursuant to Section 610.021.

RULES - PURSUANT TO RULE 25(21)(f)

Monday, May 14, 2007, Hearing Room 6 upon afternoon adjournment.
Any bills referred to the Committee on Rules - Pursuant to Rule 25(21)(f)

HOUSE CALENDAR

SEVENTY-FOURTH DAY, MONDAY, MAY 14, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey

26 HCS HBs 807 & 690 - Baker (123)
27 HCS HB 121 - Nance
28 HB 249 - Moore
29 HCS HB 252 - Robb
30 HCS HB 417 - Cunningham (86)
31 HCS HB 478 - Dethrow
32 HCS HB 490 - Baker (123)
33 HCS HB 508 - Schaaf
34 HCS HB 709 - Dethrow
35 HB 821, HA 1, pending - Onder
36 HCS HB 995 - Hobbs
37 HCS#2 HB 85 - Kraus
38 HCS HB 399 - Walton
39 HCS HB 624 - Wilson (119)
40 HCS#2 HB 752 - Sutherland
41 HCS HB 1000 - Storch
42 HCS HB 1044 - Deeken
43 HCS HB 244 - Wells
44 HCS HB 587 - Tilley
45 HCS HB 628 - Loehner
46 HCS HB 629 - Hunter
47 HCS HB 872 - Cooper (158)
48 HCS HB 913 - Cooper (120)
49 HB 932 - Grill
50 HCS HB 1089 - Stevenson
51 HCS HB 347 - Munzlinger
52 HB 439 - Hunter
53 HCS HB 630 - Schlottach
54 HB 646 - Young
55 HCS HB 919 - Schneider
56 HCS HB 944 - Cooper (120)
57 HCS HB 1264 - Page
58 HCS HB 425 - Pearce
59 HCS HB 429 - Jones (117)
60 HCS HB 716 - Davis
61 HCS HB 95 - Sater
62 HB 479 - Darrough
63 HB 733 - Page
64 HCS HB 769 - Bruns
65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
66 HB 1155 - Wright-Jones
67 HCS HB 442 - Kingery
68 HB 727 - Portwood
69 HB 888 - Grisamore
70 HCS HB 923 - Kratky
71 HB 1251 - Komo
72 HCS HB 331 - Lipke
73 HCS#2 HB 735 - Cooper (158)
74 HCS HB 833 - Wasson
75 HB 1104 - Hughes
76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
77 HCS HB 886 - Schlottach
78 HCS HB 869 - Holsman
79 HB 1052 - Brown (50)

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- 80 HCS HB 1272 - El-Amin
- 81 HCS HB 1023 - Quinn (7)
- 82 HCS HB 1108 - Pratt
- 83 HCS#2 HBs 406 & 726 - Cox
- 84 HCS HB 968 - Bivins
- 85 HB 1034 - Emery

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda
- 10 HCS HCR 5, (5-08-07, Pages 1618-1619) - Burnett

SENATE BILLS FOR THIRD READING

- 1 SCS SB 91 - St. Onge
- 2 SB 135 - Kingery
- 3 HCS SCS SB 232 - Cooper (158)
- 4 HCS SCS SB 384, as amended, HSA 1 for HA 2, HA 2, pending, E.C. - Daus
- 5 HCS SCS SB 520 - Hunter
- 6 SB 352 - Ruzicka
- 7 HCS SBs 593 & SCS SB 594 - May
- 8 SB 648 - Kelly
- 9 HCS SS SCS SB 320 - Quinn (7)
- 10 SCS SB 418 - Weter
- 11 HCS SB 218 - Deeken
- 12 HCS SS SCS SB 22, E.C. - Schneider (2 hours debate on Third Reading)
- 13 HCS SS SB 112 - Faith
- 14 SB 271 - Pearce
- 15 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 16 HCS SB 315 - Munzlinger
- 17 HCS SCS SB 52, (Fiscal Review 5-07-07), E.C. - St. Onge
(150 minutes debate on Third Reading)
- 18 SB 162 - Deeken
- 19 SB 171 - Wasson

- 20 HCS SCS SB 197 - Yates
- 21 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 22 SS SB 417 - Parson
- 23 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 24 HCS SCS SB 497 - Wilson (119)
- 25 SCS SB 525 - Wasson
- 26 SCS SB 526 - Wasson
- 27 SCS SB 66 - Yates
- 28 HCS SS SCS SB 5, (Fiscal Review 5-10-07), E.C. - Cox
- 29 HCS SS SCS SB 85, (Fiscal Review 5-10-07) - Dixon
- 30 SS SCS SB 215, HCA 1 - Yates
- 31 HCS SCS SB 299 & SS SCS SB 616 - Cooper (120)
- 32 HCS SB 323 - Baker (25)
- 33 HCS SB 325, (Fiscal Review 5-10-07) - Yates
- 34 HCS SCS SB 328, (Fiscal Review 5-10-07) - Robb
- 35 HCS SS SCS SB 429, (Fiscal Review 5-10-07) - Stream
(90 minutes debate on Third Reading)
- 36 SB 481 - Pratt
- 37 SCS SB 482 - Bearden
- 38 HCS SB 582, (Fiscal Review 5-10-07) - Sutherland
(90 minutes debate on Third Reading)
- 39 SB 671 - Pratt
- 40 HCS#2 SCS SB 313 - Sutherland
- 41 HCS SB 516, (Fiscal Review 5-11-07) - Pratt
- 42 HCS#2 SCS SB 333, (Fiscal Review 5-11-07) - Cooper (155)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HB 744, as amended - St. Onge
- 2 SS HB 134 - Guest
- 3 SCS HCS HB 298 - Cooper (120)
- 4 SS HB 579, E.C. - Dempsey
- 5 SCS HCS HB 159 - Bivins
- 6 SS SCS HCS HB 780, as amended - Wasson

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 86, as amended (request House recede/grant conference), E.C. - Sutherland

BILLS IN CONFERENCE

- 1 CCR HCS SB 30, as amended, E.C. - Stevenson
- 2 CCR HCS SCS SB 308, as amended - Wasson
- 3 CCR#2 HCS SCS SB 64, as amended - Wallace
- 4 CCR HCS SB 81, as amended, E.C. - Schlottach
- 5 HCS SCS SB 198 - Pollock
- 6 CCR HCS SB 25, as amended - Franz
- 7 HB 574, SA 1, SA 3, E.C. - St. Onge
- 8 SS HB 665, as amended - Ervin
- 9 CCR#2 HCS#2 SB 406, as amended - Wallace
- 10 HCS SCS SB 82, as amended - Tilley
- 11 HCS SB 84, as amended - Franz
- 12 CCR HCS SB 416 - Pratt
- 13 HCS SCS SB 156, as amended, E.C. - Quinn (7)

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- 14 HCS SCS SBs 62 & 41, as amended - Ruestman
- 15 CCR HB 488, SA 1 - Wasson
- 16 SS SCS HB 255, as amended, E.C. - Bruns

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-FOURTH DAY, MONDAY, MAY 14, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are LORD; You have made the heavens, even the heaven of heavens, with all their host, the earth and all that is on it, the seas and all that is in them, and You give life to them all. We thank You for being patient with us.

Lord God, we recognize our own inadequacies and continue to seek Your help even, and especially, in this last week of Session. We are grateful You hear us and answer our prayers.

We are those, not only under Your authority, but under the authority granted to us by the people of this state. We do not take lightly this responsibility. May we do nothing in haste, contemplating every decision and its intended purpose.

Now, may You, God our Father, Who have loved us and given us eternal comfort and good hope by grace, comfort and strengthen our hearts in every good work and word.

In Jesus' name, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Maureen Jacquot, Mark Jacquot, Jack Jacquot, Genevieve Jacquot and Christopher Scholtzhauer.

The Journal of the seventy-third day was approved as printed.

SPECIAL RECOGNITION

John Howard of Springfield was introduced by Representative Dempsey and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3610 through House Resolution No. 3653

COMMITTEE REPORTS**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 5** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 325** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 333** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

SB 352, relating to emergency vehicles, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **SB 352** was truly agreed to and finally passed by the following vote:

AYES: 132

Aull	Baker 123	Bearden	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Komo	Kratky
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 016

Corcoran	Daus	George	Harris 110	Hughes
Kuessner	LeVota	Lowe 44	Rucker	Spreng

Talboy	Vogt	Walsh	Whorton	Wildberger
Young				

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 25	Bland	Bowman	Casey
Curls	Holsman	Johnson	Kingery	Meiners
Stevenson	St. Onge	Walton	Wright-Jones	Zweifel

Speaker Pro Tem Bearden declared the bill passed.

HCS SS SCS SB 22, relating to political subdivisions, was taken up by Representative Schneider.

Representative Cooper (120) assumed the Chair.

Representative Pratt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 52.312, Page 8, Line 5, by inserting an opening bracket "[" between the words "counties of" and by inserting a closing bracket "]" after the word "classification"; and

Further amend said substitute, Section 66.010, Page 12, Line 1, by inserting an opening bracket "[" before the word "first" and by inserting a closing bracket "]" after the word "class"; and

Further amend said substitute, Section 67.319, Page 17, Line 39, by deleting "**organization**" and inserting in lieu thereof "**organizations**"; and

Further amend said section and page, Line 61, by inserting the word "**a**" before "**place**"; and

Further amend said substitute, Section 67.997, Page 26, Line 32, by deleting the words "**administered by the department of revenue**"; and

Further amend said substitute, Section 67.1016, Page 31, Line 4, by deleting the word "**cent**" and inserting in lieu thereof the word "**percent**"; and

Further amend said substitute, Section 87.006, Page 75, Line 8, by inserting the word "**the**" before the word "line"; and

Further amend said substitute, Section 110.130, Page 94, Line 2, by deleting "**for**" and inserting in lieu thereof "**in**"; and

Further amend said substitute, Section 182.015, Page 124, Lines 81-82, by deleting the words "**The ballot of submission shall be in substantially the same form as provided in subdivision (4) of this subsection.**"; and

Further amend said substitute, Section 320.310, Page 169, Lines 11, 15, and 17, by inserting the word "**protection**" between the words "**fire association**"; and

Further amend said substitute, Section 321.162, Page 171, Line 15, by inserting the word "**protection**" between the words "**fire district**"; and

Further amend said substitute, Section 321.688, Page 171, Line 1, by deleting the words "**fire district**" and inserting in lieu thereof the words "**fire protection districts**"; and

Further amend said section and page, Line 9, by deleting the word "**district**" and inserting in lieu thereof the word "**districts**"; and

Further amend said substitute, Section 393.715, Page 178, Line 62, by deleting "**10**" and inserting in lieu thereof "**X**"; and

Further amend said substitute, Section 393.900, Page 183, Line 30, by deleting the word "**curring**" and inserting in lieu thereof the word "**curing**"; and

Further amend said section and page, Line 31, by deleting the word "**sewer**" and inserting in lieu thereof the word "**water**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fisher offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No.1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Lines 8 and 9, by deleting all of said lines and inserting in lieu thereof the following:

"Further amend said substitute, Section 67.319 by deleting all of said section; and".

On motion of Representative Fisher, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Pratt, **House Amendment No. 1, as amended**, was adopted.

Representative Schneider offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 78.610, Pages 73-74, Lines 1-27, by deleting said section from the substitute; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 3, by inserting after "and," the following:

Further amend said substitute, Section 79.050, Page 75, Line 29, by inserting the following after all of said line:
"79.495. **1.** The county governing body of any county in which a city of the fourth class is located shall have the power to disincorporate such city upon petition of two-thirds of the voters of such city, without an election in such

city, provided that the petition requests disincorporation without an election, and provided that the population of such city is less than one hundred.

2. Upon the application of any person or persons owning a tract of land containing five acres or more in a city of the fourth class with a population less than one hundred in any county, the governing body of such county may, in its discretion, diminish the limits of such city by excluding any such tract of land from said corporate limits without an election in such city; provided that such application shall be accompanied by a petition asking for such change without an election and signed by a majority of the registered voters in such city and to the extent there are no such registered voters available in such city, then such petition shall be signed by the parties owning a majority of the land area to be excluded from such city limits. Thereafter, such tract of land so excluded shall not be deemed or held to be any part of such city."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Schneider, **House Amendment No. 2, as amended**, was adopted.

Representative Schneider offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 2, Page 191, Line 22, by inserting the following after all of said line:

"Section 3. In each transportation development district in which a sales tax has been imposed or increased under section 238.235, every retailer shall prominently display the rate of the sales tax imposed or increased at the cash register area."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hobbs offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

Representative Hobbs offered **House Amendment No. 2 to House Amendment No. 3.**

House Amendment No. 2

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 2, by inserting immediately after "No. 22" the following:

"238.220. 1. Notwithstanding anything to the contrary contained in section 238.216, if any persons eligible to be registered voters reside within the district the following procedures shall be followed:

(1) After the district has been declared organized, the court shall upon petition of any interested person order the county clerk to cause an election to be held in all areas of the district within one hundred twenty days after the order establishing the district, to elect the district board of directors which shall be not less than five nor more than fifteen;

(2) Candidates shall pay the sum of five dollars as a filing fee to the county clerk and shall file with the election authority of such county a statement under oath that he or she possesses all of the qualifications set out in this section for a director. Thereafter, such candidate shall have his or her name placed on the ballot as a candidate for director;

(3) The director or directors to be elected shall be elected at large. The candidate receiving the most votes from qualified voters shall be elected to the position having the longest term, the second highest total votes elected to the position having the next longest term, and so forth. Each initial director shall serve the one-, two- or three-year term to which he or she was elected, and until a successor is duly elected and qualified. Each successor director shall serve a three-year term. The directors shall nominate and elect an interim director to complete any unexpired term of a director caused by resignation or disqualification; and

(4) Each director shall be a resident of the district. Directors shall be registered voters at least twenty-one years of age.

2. Notwithstanding anything to the contrary contained in section 238.216, if no persons eligible to be registered voters reside within the district, the following procedures shall apply:

(1) Within thirty days after the district has been declared organized, the circuit clerk of the county in which the petition was filed shall, upon giving notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, call a meeting of the owners of real property within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of not less than five and not more than fifteen directors, to be composed of owners or representatives of owners of real property in the district; provided that, if all the owners of property in the district joined in the petition for formation of the district, such meeting may be called by order of the court without further publication. **For the purposes of determining board membership, the owner or owners of real property within the district and their legally authorized representative or representatives shall be deemed to be residents of the district; for business organizations and other entities owning real property within the district, the individual or individuals legally authorized to represent the business organizations or entities in regard to the district shall be deemed to be a resident of the district;**

(2) The property owners, when assembled, shall organize by the election of a chairman and secretary of the meeting who shall conduct the election. At the election, each acre of real property within the district shall represent one share, and each owner may have one vote in person or by proxy for every acre of real property owned by such person within the district;

(3) The one-third of the initial board members receiving the most votes shall be elected to positions having a term of three years. The one-third of initial board members receiving the next highest number of votes shall be elected to positions having a term of two years. The lowest one-third of initial board members receiving sufficient votes shall be elected to positions having a term of one year. Each initial director shall serve the term to which he or she was elected, and until a successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the real property owners called by the board. Each successor director shall serve a three-year term. The directors shall nominate and elect an interim director to complete any unexpired term of a director caused by resignation or disqualification;

(4) Directors shall be at least twenty-one years of age.

3. Notwithstanding any provision of section 238.216 and this section to the contrary, if the petition for formation of the district was filed pursuant to subsection 5 of section 238.207, the following procedures shall be followed:

(1) If the district is comprised of four or more local transportation authorities, the board of directors shall consist of the presiding officer of each local transportation authority within the district. If the district is comprised of two or three local transportation authorities, the board of directors shall consist of the presiding officer of each local transportation authority within the district and one person designated by the governing body of each local transportation authority within the district;

(2) Each director shall be at least twenty-one years of age and a resident or property owner of the local transportation authority the director represents. A director designated by the governing body of a local transportation authority may be removed by such governing body at any time with or without cause; and

(3) Upon the assumption of office of a new presiding officer of a local transportation authority, such individual shall automatically succeed his predecessor as a member of the board of directors. Upon the removal, resignation or disqualification of a director designated by the governing body of a local transportation authority, such governing body shall designate a successor director.

4. The commission shall appoint one or more advisors to the board, who shall have no vote but shall have the authority to participate in all board meetings and discussions, whether open or closed, and shall have access to all records of the district and its board of directors.

5. If the proposed project is not intended to be merged into the state highways and transportation system under the commission's jurisdiction, the local transportation authority that will assume maintenance of the project shall appoint one or more advisors to the board of directors who shall have the same rights as advisors appointed by the commission.

6. Any county or counties located wholly or partially within the district which is not a "local transportation authority" pursuant to subdivision (4) of subsection 1 of section 238.202 may appoint one or more advisors to the board who shall have the same rights as advisors appointed by the commission."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative LeVota raised a point of order that **House Amendment No. 2 to House Amendment No. 3** is not properly drafted.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Hobbs, **House Amendment No. 2 to House Amendment No. 3** was adopted.

On motion of Representative Schneider, **House Amendment No. 3, as amended**, was adopted.

Representative McGhee offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 71.012, Page 71, Line 68, by inserting the following after all of said line:

"71.515. 1. No city, town, or village in this state supplying an occupant of a premises utility services shall hold an owner of such premises liable for the delinquent payment of such utilities of the occupant, unless the owner is the occupant. Such city, town, or village rendering such utility services may sue the occupant that received such services in such premises in a civil suit to recover any sums owed for such services, plus a reasonable attorney's fee to be fixed by the court.

2. This section shall not apply to any city not within a county or any home rule city with more than four hundred thousand inhabitants and located in more than one county."; and

Further amend said substitute, Section 247.060, Page 161, Line 28, by inserting the following after all of said line:

"250.140. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to [both] the occupant [and owner] of the premises receiving such service and[, except as otherwise provided in subsection 2 of this section,] the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247, RSMo, rendering such services shall have power to sue the occupant [or owner, or both,] of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247, RSMo, for such services, plus a reasonable attorney's fee to be fixed by the court.

2. [When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable

for sums due for more than ninety days. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4.] Notwithstanding any other provision of law to the contrary, any water provider who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages.

[5.]3. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant.

4. This section shall not apply to any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county.

250.142. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247, RSMo, rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247, RSMo, for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages.

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant.

6. This section shall only apply to any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dougherty offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 71.515, Page 1, Line 10, by inserting immediately after the word "county" the following:

", any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants,"; and

Further amend said amendment, Section 250.140, Page 2, Line 28, by inserting immediately after the word "county" the following:

", any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants,"; and

Further amend said line, by deleting **"and"** and inserting in lieu thereof **"or"**; and

Further amend said amendment, Section 250.142, Page 3, Line 9, by inserting immediately after the word "county" the following:

", any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative McGhee, **House Amendment No. 4, as amended**, was adopted by the following vote:

AYES: 082

Bearden	Bivins	Brandom	Brown 50	Bruns
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Munzlinger	Muschany
Nance	Nieves	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Silvey	Smith 150	Stream	Sutherland
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 069

Aull	Baker 25	Baker 123	Bringer	Brown 30
Burnett	Casey	Corcoran	Cox	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Moore	Nasheed
Nolte	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo

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Schieffer	Schoemehl	Self	Shively	Skaggs
Smith 14	Spreng	St. Onge	Storch	Swinger
Talboy	Thomson	Threlkeld	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bland	Bowman	Curls	Hubbard
Johnson	Kingery	Kratky	Meiners	Stevenson
Walton	Zweifel			

Representative Pratt offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 162.431, Page 115, Line 21, by inserting an opening bracket "[" and a closing bracket "]" around the word "and"; and

Further amend said section, Page 116, Line 23, by inserting immediately after the word "adjustment" the following:

"; and

(4) If the potential receiving district obtained a score consistent with the criteria for classification of the district as "accredited" on its most recent annual performance report and the potential sending district obtained a score consistent with the criteria for classification of the district as "unaccredited" on its most recent annual performance report, the board shall approve the proposed boundary change for the educational well-being of the children enrolled in the potential sending district"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pratt, **House Amendment No. 5** was adopted.

Representative Silvey offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.110, Page 15, Line 49, by inserting after all of said line the following:

"67.112. The revenue derived from any increase in any tax within any tax increment financing district shall be used solely for the specified purposes of the tax increase. In no event shall any such revenue be used for or diverted to any redevelopment plan or project in any tax increment financing district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bearden offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, In the Title, Line 12, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend said bill, Page 2, Section A, Line 10, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend said bill, Page 15, Section 67.110, Line 49, by inserting after all of said line the following:

"67.112. The revenue derived from any increase in any tax within any tax increment financing district shall be used solely for the specified purposes of the tax increase. In no event shall any such revenue be used for or diverted to any redevelopment plan or project in any tax increment financing district."; and

Further amend said bill, Page 87, Section 94.950, Line 118, by inserting after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for a first class county with a charter form of government having a population of more than nine hundred thousand, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given

written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. Effective January 1, 2008, if, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill, Page 191, Section 58.510, Line 4, by inserting after all of said line the following:

"[99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) In a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for a first class county with a charter form of government having a population of more than nine hundred thousand, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, three such members appointed either by the county executive or county commissioner, and six such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) When any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the

municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.]

[99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Portwood offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 6

AMEND House Substitute Amendment No. 1 for House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 15, Section 67.110, by inserting after all of said section the following:

"67.112. The revenue derived from any increase in any tax within any tax increment financing district shall be used solely for the specified purposes of the tax increase. In no event shall any such revenue be used for or diverted to any redevelopment plan or project in any tax increment financing district."; and

Further amend said bill, Page 87, Section 94.950, by inserting after all of said section the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) ["Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;] **"Blighted area", any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of the municipality where:**

(a) If improved, industrial, commercial, and residential buildings or improvements are detrimental to the public safety, health, or welfare because of a combination of four or more of the following factors, each of which is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the real property tax increment allocation redevelopment act and reasonably distributed throughout the improved part of the redevelopment project area:

a. Dilapidation. "Dilapidation" means an advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed;

b. Obsolescence. "Obsolescence" means the condition or process of falling into disuse; structures have become ill-suited for the original use;

c. Deterioration. "Deterioration" means with respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas show deterioration, including but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces;

d. Presence of structures below minimum code standards. "Presence of structures below minimum code standards" means all structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes;

e. Illegal use of individual structures. "Illegal use of individual structures" means the use of structures in violation of applicable federal, state, or local laws, exclusive of those applicable to the presence of structures below minimum code standards;

f. Excessive vacancies. "Excessive vacancies" means the presence of buildings that are unoccupied or under-used and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies;

g. Lack of ventilation, light, or sanitary facilities. "Lack of ventilation, light, or sanitary facilities" means the absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building;

h. Inadequate utilities. "Inadequate utilities" means underground and overhead utilities such as storm sewers, storm drainage, sanitary sewers, waterlines, gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are:

- (i) Of insufficient capacity to serve the uses in the redevelopment project area;
- (ii) Deteriorated, antiquated, obsolete, or in disrepair; or
- (iii) Lacking within the redevelopment project area;

i. Excessive land coverage and overcrowding of structures and community facilities. "Excessive land coverage and overcrowding of structures and community facilities" means the over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are:

- (i) The presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety; and
- (ii) The presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings; increased threat of spread of fire due to the close proximity of buildings; lack of adequate or proper access to a public right-of-way; lack of reasonably required off-street parking; or inadequate provision for loading and service;

j. Deleterious land use or layout. "Deleterious land use or layout" means the existence of incompatible land use relationships, buildings occupied by inappropriate mixed uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area;

k. Environmental clean-up. "Environmental clean-up" means the proposed redevelopment project area has incurred division of environmental quality of the department of natural resources or United States Environmental Protection Agency (EPA) remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by state or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area;

l. Lack of community planning. "Lack of community planning" means the proposed redevelopment project area was developed before or without the benefit or guidance of a community plan, or before the adoption by the municipality of a comprehensive or other community plan or the plan was not followed at the time of the area's development. This factor shall be documented by evidence of adverse or incompatible land use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning;

m. The total equalized assessed value of the proposed redevelopment project area has declined for two of the last five calendar years before the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for two of the last five calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or its successor agency for two of the last five calendar years before the year in which the redevelopment project area is designated;

(b) If vacant, the growth of the redevelopment project area is impaired by a combination of two or more of the following factors, each of which is present, with that presence documented, to a meaningful extent so that a municipality may reasonably find that the factor is clearly present within the intent of the real property tax increment allocation redevelopment act and reasonably distributed throughout the vacant part of the redevelopment project area to which it pertains:

a. Obsolete platting of vacant land that results in parcels of limited or narrow size or configurations of parcels of irregular size or shape that would be difficult to develop on a planned basis and in a manner compatible

with contemporary standards and requirements, or platting that failed to create rights-of-ways for streets or alleys or that created inadequate right-of-way widths for streets, alleys, or other public rights-of-way or that omitted easements for public utilities;

b. Diversity of ownership of parcels of vacant land sufficient in number to retard or impede the ability to assemble the land for development;

c. Tax and special assessment delinquencies exist or the property has been the subject of tax sales under Missouri property tax laws within the last five years;

d. Deterioration of structures or site improvements in neighboring areas adjacent to the vacant land;

e. The area has incurred division of environmental quality of the department of natural resources or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by state or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area;

f. The total equalized assessed value of the proposed redevelopment project area has declined for two of the last five calendar years before the year in which the redevelopment project area is designated or is increasing at an annual rate that is less than the balance of the municipality for two of the last five calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or its successor agency for two of the last five calendar years before the year in which the redevelopment project area is designated;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) ["Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;] "Conservation area", any improved area within the boundaries of a redevelopment project area located within the territorial limits of the municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but because of a combination of three or more of the following factors is detrimental to the public safety, health, morals, or welfare and such an area may become a blighted area:

(a) Dilapidation. "Dilapidation" means an advanced state of disrepair or neglect of necessary repairs to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required or the defects are so serious and so extensive that the buildings must be removed;

(b) Obsolescence. "Obsolescence" means the condition or process of falling into disuse; structures have become ill-suited for the original use;

(c) Deterioration. "Deterioration" means with respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters, downspouts, and fascia. With respect to surface improvements, the condition of roadways, alleys, curbs, gutters, sidewalks, off-street parking, and surface storage areas show deterioration, including but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces;

(d) Presence of structures below minimum code standards. "Presence of structures below minimum code standards" means all structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes;

(e) Illegal use of individual structures. "Illegal use of individual structures" means the use of structures in violation of applicable federal, state, or local laws, exclusive of those applicable to the presence of structures below minimum code standards;

(f) Excessive vacancies. "Excessive vacancies" means the presence of buildings that are unoccupied or under-used and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies;

(g) Lack of ventilation, light, or sanitary facilities. "Lack of ventilation, light, or sanitary facilities" means the absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence or inadequacy of skylights or windows for interior spaces or rooms and improper window sizes and amounts by room area to window area ratios. Inadequate sanitary facilities refers to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building;

(h) Inadequate utilities. "Inadequate utilities" means underground and overhead utilities such as storm sewers, storm drainage, sanitary sewers, waterlines, gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are:

- a. Of insufficient capacity to serve the uses in the redevelopment project area;
- b. Deteriorated, antiquated, obsolete, or in disrepair; or
- c. Lacking within the redevelopment project area;

(i) Excessive land coverage and overcrowding of structures and community facilities. "Excessive land coverage and overcrowding of structures and community facilities" means the over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety, or the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions:

- a. Insufficient provision for light and air within or around buildings;
- b. Increased threat of spread of fire due to the close proximity of buildings;
- c. Lack of adequate or proper access to a public right-of-way;
- d. Lack of reasonably required off-street parking; or
- e. Inadequate provision for loading and service;

(j) Deleterious land use or layout. "Deleterious land use or layout" means the existence of incompatible land use relationships, buildings occupied by inappropriate mixed uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area;

(k) Lack of community planning. "Lack of community planning" means the proposed redevelopment project area was developed before or without the benefit or guidance of a community plan, or the development occurred before the adoption by the municipality of a comprehensive or other community plan or the plan was not followed at the time of the area's development. This factor shall be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning;

(l) The area has incurred division of environmental quality of the department of natural resources or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by state or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area;

(m) The total equalized assessed value of the proposed redevelopment project area has declined for two of the last five calendar years for which information is available or is increasing at an annual rate that is less than the balance of the municipality for two of the last five calendar years for which information is available or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or its successor agency for two of the last five calendar years for which information is available;

(4) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding

personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) "Gambling establishment", an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

(8) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

(9) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

(10) "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

(11) "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, RSMo, or a combination thereof, which area includes only those parcels of real property directly and substantially benefited by the proposed redevelopment project;

(12) "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

(13) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

(14) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) **Extraordinary** professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. **Extraordinary professional service costs shall only include costs**

required under the real property tax increment allocation redevelopment act. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

(15) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

(16) "Taxing districts", any political subdivision of this state having the power to levy taxes;

(17) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

(18) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, **noting conditions and contingencies, if any**, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. In the event that, within ten days after the passage of a municipal or county ordinance adopting a redevelopment plan, the appropriate local election authority receives a notice, signed by not less than one hundred registered voters of the municipality or county, stating the intention of such registered voters to cause a petition to be circulated to resubmit any such ordinance to a second vote by the municipal or county governing body, the ordinance shall not take effect as otherwise provided. In the event that, within forty days after the passage of a municipal or county ordinance adopting a redevelopment plan, the appropriate local election authority receives a petition, signed by a number of registered voters equal to at least ten percent of the number of total votes cast in such subdivision in the most recent mayoral or county commissioner election, requesting that approval of the redevelopment plan be resubmitted to the municipal or county governing body for a second vote, the municipal or county governing body shall vote again on the adoption of the redevelopment plan. No such plan shall become effective unless and until it receives the favorable vote of two-thirds of all the members of the governing body.

3. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

- (9) Acquire and construct public facilities within a redevelopment area;
- (10) Incur redevelopment costs and issue obligations;
- (11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;
- (12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

4. If the commission makes a negative recommendation to the governing body regarding a redevelopment plan, redevelopment project, designation of redevelopment area, or amendments thereto, then such plan, project, designation, or amendment shall not be adopted except by a favorable vote of two-thirds of all the members of the governing body."; and

Further amend said bill, Page 87, Section 99.847, Line 3, by inserting immediately following the word "as" the following:

"a one hundred year"; and

Further amend said bill, Page 87, Section 99.847, by inserting after all of said section the following:

"99.866. When a tax increment financing project includes residential uses except in central business districts as defined in section 99.918, absent a recommendation to the contrary from commission members representing the affected school board or boards, real property tax levies attributable to the residential portion of the development shall pass through to the school district or districts."; and

Further amend said bill, Page 191, Section 2, by inserting after all of said section the following:

"Section 3. In any home rule city with more than four hundred thousand inhabitants and located in more than one county and any city not within a county, when tax increment financing is used for a project, those receiving the financing must make all good faith efforts to use minority business enterprises or women business enterprises to help complete the project."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6** was adopted by the following vote:

AYES: 105

Aull	Baker 25	Bearden	Bivins	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 158	Corcoran	Cunningham 86	Curls	Darrough
Daus	Davis	Deeken	Dempsey	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Faith	Fallert	Fares	Flook	Frame
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Haywood	Holsman	Hoskins	Hubbard
Icet	Jones 117	Kelly	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McGhee
Meadows	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Robinson	Rucker	Salva	Scavuzzo	Schaaf
Schad	Schneider	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Whorton	Wildberger	Witte
Wright 159	Wright-Jones	Yaeger	Yates	Young

NOES: 046

Avery	Baker 123	Brandom	Bringer	Cooper 120
Cooper 155	Cox	Cunningham 145	Day	Denison
Dethrow	Emery	Fisher	Franz	Harris 110
Hobbs	Hodges	Hunter	Jones 89	Marsh
May	McClanahan	Moore	Munzlinger	Pollock
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Scharnhorst	Schieffer	Schlottach
Schoeller	Smith 150	Thomson	Vogt	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bowman	Hughes	Johnson	Kingery
Kratky	Meiners	Page	Viebrock	Walton
Zimmerman	Zweifel			

On motion of Representative Bearden, **House Substitute Amendment No. 1 for House Amendment No. 6, as amended**, was adopted.

Representative Villa offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 92.500, Page 77, Line 5, by deleting the words "**and for**" and inserting in lieu thereof the words "**which operations are defined to include, but not be limited to,**"; and

Further amend said section, Page 78, Line 17, by deleting the word "**city**" and inserting in lieu thereof the following:

"city, including hiring more police officers, prosecuting more criminals, nuisance crimes, and problem properties"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Villa, **House Amendment No. 7** was adopted.

Representative Skaggs offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 191, Section 2, Line 22, by inserting after all of said line the following:

"Section 3. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in the following described real property owned by the state in Jackson County to the city of Kansas City:

**Parcel # 12-840-27-08-00-0-00-000
JOHNSON'S SUB OF O T LANDS
BEG 460 W 185' S NE CE S SW 1/4 SE 1/4 TH SW 250' SE 220' NE 250' NW 220' TO POB
Parcel # 12-840-26-02-00-0-00-000
EAST KANSAS
LOT 1 & N 10 FT OF LOT 2 BL K 53**

**Parcel # 12-840-26-03-00-0-00-000
EAST KANSAS
ALL OF LOT 2 (EX N 10') & ALL OF LOT 3 & N 10' OF LOT 4 BLK 53**

Section 4. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, and the time, place, and terms of the sale.

Section 5. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 8** was adopted.

Representative Burnett offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 77, Section 89.400, Line 24, by inserting after all of said line the following:

"92.035. 1. Any city having a charter form of government and a population of at least three hundred thousand, but less than six hundred and fifty thousand and located wholly or partially within a county of the first class having a charter form of government, in addition to the levy and imposition of taxes authorized by section 92.030, may, except as otherwise provided in this section, by ordinance, levy or impose a tax not to exceed the rate of ten cents on each one hundred dollars of assessed valuation of real and tangible personal property located within the city. The proceeds of the tax representing a rate of at least three cents on each one hundred dollars of assessed valuation to be used for the operation, improvement or construction expansion of museum facilities in existence on August 13, 1978, and the remaining proceeds of the tax to be used exclusively for the construction, operation, improvement, or expansion of additional facilities for such museum and no other. The word "museum" as used in this section, shall not be construed to mean or include an art gallery **or any facility that was previously used as a railroad terminal or any location adjacent to such former railroad terminal**. General admission to the museum's facility in existence prior to August 13, 1978, shall be free and open to the residents of such city. Before the city shall impose any tax under this section at a rate which exceeds two cents on each one hundred dollars of assessed valuation, the governing body of the city shall submit the proposed tax rate increase to the voters of the city for approval or rejection at an election.

2. The question shall be submitted in substantially the following form:

Shall there be an increased tax levy of cents on the hundred dollars assessed valuation for museum purposes?

3. If a majority of the votes cast upon the proposal are in favor of the levy increase, the governing body of the city may, by ordinance, impose the additional tax. If a majority of the votes cast upon the proposal are against the levy increase, the governing body of the city shall not impose the increase. Nothing in this section shall prohibit a rejected proposal from being resubmitted to a vote of the voters."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burnett, **House Amendment No. 9** was adopted.

Representative Storch offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 19, Section 67.320, Line 21, by inserting after all of said line the following:

"67.321. 1. Notwithstanding any other provision of law to the contrary, the governing body of any county or municipality shall have the authority to establish an ordinance to allow patrons' pets, as defined in subdivision (20) of section 266.160, RSMo, except for specialty pets as defined in subdivision (25) of section 266.160, RSMo, within certain designated outdoor portions of public food service establishments.

2. The governing body shall require from the public food service establishment the following information:

(1) A diagram and description of the outdoor area to be designated as available to patrons' pets, including dimensions of the designated area;

(2) A depiction of the number and placement of tables, chairs, and restaurant equipment;

(3) Entryways and exits to the designated outdoor area;

(4) The boundaries of the designated area and of other areas of outdoor dining not available to patrons' pets;

(5) Any fences or other barriers;

(6) Surrounding property lines and public rights-of-way including sidewalks and common pathways;
and

(7) Any other information deemed necessary by the governing body."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Storch, **House Amendment No. 10** was adopted.

Representative Cunningham (86) offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 74, Section 79.050, Line 20, by inserting after the word "**two**" the words "**, three**"; and

Further amend said section, Page 75, Line 23, by inserting after the word "**two**" the words "**, three**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Cunningham (86), **House Amendment No. 11** was adopted.

Representative Cunningham (145) offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 137.115, Page 104, Line 163, by inserting after all of said line and section the following:

"139.055. Any county **or public water supply district** may accept payment by credit card or electronic transfers of funds for any tax, **fee**, or license payable to the county **or district**. A county collector **or district** shall not be required to accept payment by credit card if the credit card bank, processor, or issuer would charge the county **or district** a fee for such payment. However, a county **or district** may accept payment by credit card and charge the person making such payment by credit card a fee equal to the fee charged the county **or district** by the credit card bank, processor, issuer for such payment. A county **or district** may accept payment by electronic transfer of funds in payment of any tax, **fee**, or license and charge the person making such payment a fee equal to the fee charged the county **or district** by the bank, processor, or issuer of such electronic payment."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cunningham (145), **House Amendment No. 12** was adopted.

Representative Cooper (120) offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 50.332, Page 5, Line 6, by deleting the opening bracket "["; and

Further amend said section and page, Line 7, by inserting an opening bracket "[" before the word "contract"; and

Further amend said section and page, Line 9, by inserting the following after the closing bracket "]:

"contract; provided however, that no more than one percent of the contract price may be allowed to the county collector under any such contract and may be retained by the county collector in addition to all other compensation provided by law, and the remainder of the contract price shall be deposited in the county general revenue fund"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Daus offered **House Substitute Amendment No. 1 for House Amendment No. 13**.

*House Substitute Amendment No. 1
for
House Amendment No. 13*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 5, Section 50.332, Lines 1 to 9, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Daus moved that **House Substitute Amendment No. 1 for House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lipke	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Oxford	Page
Pollock	Quinn 7	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Smith 14	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Wilson 119	Witte	Wright-Jones
Yaeger	Young	Zimmerman		

NOES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kelly	Kraus	Lembke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Parson	Pearce	Portwood	Pratt
Richard	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bowman	Johnson	Kingery	Meiners
Robb	Robinson	Wallace	Walton	Zweifel

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 13.**

House Amendment No. 1
to
House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 2, by inserting after "5," the following:

Line 5, by inserting an opening bracket "[" before the word "Any"; and

Further amend said section and page,; and

Further amend said amendment, Page 1, Lines 4-5, by deleting all of said lines; and

Further amend said amendment, Page 1, Lines 9-12, by deleting all of said lines and inserting in lieu thereof the following:

"Any compensation paid by a municipality for services rendered under this section shall be divided equally between the county and the county collector as provided in the provisions of the contract, and any compensation allowed the county collector under any such contract may be retained in addition to all other compensation provided by law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer moved that **House Amendment No. 1 to House Amendment No. 13** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Flook	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Page	Pollock	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schoemehl	Self
Shively	Skaggs	Smith 14	Spreng	Storch
Swinger	Talboy	Tilley	Todd	Villa
Vogt	Walsh	Wasson	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman

NOES: 080

Avery	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kraus
Lembke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Portwood
Pratt	Quinn 7	Richard	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Silvey
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker 123	Bland	Bowman	Cooper 155	Johnson
Kingery	Meiners	Robb	Salva	Viebrock
Wallace	Walton	Zweifel		

On motion of Representative Cooper (120), **House Amendment No. 13** was adopted.

Representative Harris (23) offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 152, Section 206.090, Line 38, by inserting after all of said line the following:

"221.515. **1. Any person designated a jailer under the provisions of this chapter shall have the power to serve [an arrest warrant] civil process and arrest warrants on any person who surrenders himself or herself to the facility under an arrest warrant or is already an inmate in the custody of the facility in or at which such jailer is employed.**

2. Under the rules and regulations of the sheriff, employees designated as jailers may carry firearms when necessary for the proper discharge of their duties as jailers in this state under the provisions of this chapter.

3. Such persons authorized to act by the sheriff as jailers under the rules and regulations of the sheriff shall have the same power as granted any other law enforcement officers in this state to arrest escaped prisoners and apprehend all persons who may be aiding and abetting such escape while in the custody of the sheriff in accordance with state law."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Harris (23), **House Amendment No. 14** was adopted.

Representative Bringer offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 97, Section 137.092, Line 6, by inserting after the word "**facility**" the following:

"or any self-service storage facility as defined in section 415.405, RSMo"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 15** was adopted.

Representative Grill offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 110.150, Page 96, Line 23, by inserting after all of said section, the following:

"135.636. 1. This section shall be known and may be cited as the "Motherhood/Fatherhood Stay-at-Home Tax Credit".

2. As used in this section, the following terms mean:

(1) "Eligible child", any natural, adopted, or stepchild of a stay-at-home parent if such eligible child is between the ages of newborn to twenty-four months;

(2) "Stay-at-home parent", any married parent of an eligible child if such stay-at-home parent was gainfully employed before the birth or adoption of the eligible child or marriage to a person with an eligible child, who is no longer gainfully employed as a result of the decision to stay at home to provide care for the eligible child, and whose annual salary while the stay-at-home parent was gainfully employed was one hundred thousand dollars or less. "Stay-at-home parent" shall not include any recipient of any public assistance;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;

(4) "Taxpayer", any stay-at-home parent or such parent's spouse whose filing status is married filing combined who is subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.

3. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit for providing care for an eligible child. The tax credit amount shall be equal to twenty-five percent of the stay-at-home parent's annual salary in the year before the stay-at-home parent terminated gainful employment to become a stay-at-home parent. If the amount of the tax credit issued exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall not be refundable but may be carried forward to any of the taxpayer's three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. The cumulative amount of tax credits which may be issued under this section in any one fiscal year shall not exceed two million dollars.

4. The director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all taxpayers allowed a tax credit under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

5. Each stay-at-home parent claiming a tax credit under this section shall file an affidavit verifying that such parent is a stay-at-home parent, and shall provide a copy of the most recent W-2 form received before becoming a stay-at-home parent to verify the tax credit amount claimed.

6. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

7. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Grill moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Page offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 105.452, Page 94, Line 29, by deleting the following "**2. No person shall offer**" and inserting in lieu thereof the following:

"**(6) Offer**"; and

Further amend said page, Line 30, by deleting all of said line and inserting in lieu thereof the following:

"**any public office. For purposes of this section, the term "public office" shall mean any elected or appointed office of state, county, or municipal government.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 17** was adopted.

Representative Faith offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 113, Section 144.062, Line 13, by striking "**144.030**," and inserting the following:

"**144.030; or**

(6) After June 30, 2007, the department of transportation or the state highways and transportation commission"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 18** was adopted.

Representative Silvey offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 50.660, Page 7, Line 34, by inserting the following after all of said line:

"52.240. **1.** The statement and receipt required by section 52.230 shall be mailed to the address of the taxpayer as shown by the county assessor on the current tax books, and postage for the mailing of the statements and receipts shall be furnished by the county commission. The failure of the taxpayer to receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax liability **and penalties and interest** imposed on him by law. **However, no penalty and interest, including that found in this chapter and chapters 139 and 140, shall be charged on real property tax when there is clear and convincing evidence that an error or omission was made by the county in determining taxes owed by a taxpayer.**

2. The county commission shall have the authority to refund penalties, interest and taxes if the county made an error or omission. If a taxpayer believes that an error or omission has occurred and discovers the error or omission after December 31 and the taxpayer has not paid current year taxes owing, the taxpayer shall pay the taxes along with any penalties or interest due and owing. The taxpayer may then submit a request for a refund of penalties, interest or taxes, in writing, to the county commission. If the county commission approves the refund of penalties, interest or taxes then such refunds approved by the county commission shall be handled under section 139.031(5)."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 19** was adopted.

Representative Avery offered **House Amendment No. 20.**

House Amendment No. 20

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Pages 105 through 113, Section 144.030, Line 280, by inserting after all of said line the following:

"(41) Sales of textbooks, as defined by section 170.051, RSMo, when such textbook is purchased for use by a person at any Missouri public or private university, college, or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities, or sciences or in a professional, vocational, or technical field, provided that the books which are exempt from state and local sales and use tax are those required or recommended for a class. Upon request, the institution or department shall provide at least one list of textbooks to the bookstore each semester."; and

Further amend said bill, Page 191, Section 105.971, by inserting after all of said section the following:

"[144.517. In addition to the exemptions granted pursuant to section 144.030, there shall also be exempted from state sales and use taxes all sales of textbooks, as defined by section 170.051, RSMo, when such textbook is purchased by a student who possesses proof of current enrollment at any Missouri public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field, provided that the books which are exempt from state sales tax are those required or recommended for a class. Upon request the institution or department must provide at least one list of textbooks to the bookstore each semester. Alternately, the student may provide to the bookstore a list from the instructor, department or institution of his or her required or recommended textbooks. This exemption shall not apply to any locally imposed sales or use tax.];" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Avery, **House Amendment No. 20** was adopted.

Representative Corcoran offered **House Amendment No. 21.**

House Amendment No. 21

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 75, Section 79.050, Line 29, by inserting after said line the following:

"82.020. Any city or town under special charter, as defined in Section 81.010, RSMo, and any other city in this state which now has or which may hereafter have a population of more than [ten] **five** thousand inhabitants according to the last preceding federal decennial census may frame and adopt or amend a charter for its own government by complying with the provisions of Sections 19 and 20 of article VI of the constitution of this state, or any amendments thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Corcoran, **House Amendment No. 21** was adopted.

Representative McClanahan offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 165, Section 302.010, Line 88, by inserting after all of said line the following:

"320.066. 1. The following terms shall mean:

(1) **"Approved carbon monoxide alarm", a device meant for the purpose of detecting carbon monoxide that is certified by a nationally recognized testing laboratory to conform to the latest Underwriters Laboratories Standards;**

(2) **"Dwelling unit", premises or part thereof occupied, used, or held out for use and occupancy as a place of abode for human beings, whether occupied or vacant;**

(3) **"Installed", an approved carbon monoxide alarm that is hard-wired into the electrical wiring of the dwelling unit or residential property;**

(4) **"Operational", working and in service.**

2. Every newly constructed residential property or rental property that is a dwelling unit shall be equipped with an approved and operational carbon monoxide alarm installed within ten feet of each room lawfully used for sleeping purposes. Such carbon monoxide alarm shall also be installed within ten feet of each room lawfully used for sleeping upon the sale of an existing residential property or upon any change or renewal of a lease of a rental property that is a dwelling unit.

3. The owner of a rental property that is a dwelling unit which is required to be equipped with one or more approved carbon monoxide alarms shall:

(1) **Provide and install one approved and operational carbon monoxide alarm within ten feet of each room lawfully used for sleeping;**

(2) **Replace any required carbon monoxide alarm that has been stolen, removed, found missing, or rendered inoperable within the dwelling unit; and**

(3) **Keep and maintain the device in good repair."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative McClanahan moved that **House Amendment No. 22** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Aull
Casey

Baker 25
Chappelle-Nadal

Bringer
Corcoran

Brown 50
Curls

Burnett
Darrough

1855 *Journal of the House*

Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Komo	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman				

NOES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kratky	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bowman	Johnson	Kingery	Kuessner
Meiners	Salva	Viebrock	Wallace	Walton
Zweifel				

Representative Roorda offered **House Amendment No. 23.**

House Amendment No. 23

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.410, Page 22, Line 120, by inserting the following after all of said line:

"67.457. 1. To establish a neighborhood improvement district, the governing body of any city or county shall comply with either of the procedures described in subsection 2 or 3 of this section.

2. The governing body of any city or county proposing to create a neighborhood improvement district may by resolution submit the question of creating such district to all qualified voters residing within such district at a general or special election called for that purpose. Such resolution shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, and the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each

year during the term of the bonds issued for the original improvement and after such bonds are paid in full. The governing body of the city or county may create a neighborhood improvement district when the question of creating such district has been approved by the vote of the percentage of electors within such district voting thereon that is equal to the percentage of voter approval required for the issuance of general obligation bonds of such city or county under article VI, section 26 of the constitution of this state. The notice of election containing the question of creating a neighborhood improvement district shall contain the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and a statement that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such notice, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such notice, by more than twenty-five percent. The ballot upon which the question of creating a neighborhood improvement district is submitted to the qualified voters residing within the proposed district shall contain a question in substantially the following form:

Shall (name of city or county) be authorized to create a neighborhood improvement district proposed for the (project name for the proposed improvement) and incur indebtedness and issue general obligation bonds to pay for all or part of the cost of public improvements within such district, the cost of all indebtedness so incurred to be assessed by the governing body of the (city or county) on the real property benefited by such improvements for a period of years, and, if included in the resolution, an assessment in each year thereafter with the proceeds thereof used solely for maintenance of the improvement?

3. As an alternative to the procedure described in subsection 2 of this section, the governing body of a city or county may create a neighborhood improvement district when a proper petition has been signed by the owners of record of at least two-thirds by area of all real property located within such proposed district. **Each owner of record of real property located in the proposed district is allowed one signature. Any person, corporation, or limited liability partnership owning more than one parcel of land located in such proposed district shall be allowed only one signature on such petition.** The petition, in order to become effective, shall be filed with the city clerk or county clerk. A proper petition for the creation of a neighborhood improvement district shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year during the term of the bonds issued for the original improvement and after such bonds are paid in full, a notice that the names of the signers may not be withdrawn later than seven days after the petition is filed with the city clerk or county clerk, and a notice that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such petition, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such petition, by more than twenty-five percent. **Any neighborhood improvement district in existence prior to August 28, 2007, where two-thirds of the property located in such district was owned by a single person, corporation, or limited liability partnership shall be nullified. Any remaining indebtedness resulting from the issuance of bonds to fund the improvements within the neighborhood improvement district shall revert to the governing body of the city or county.**

4. Upon receiving the requisite voter approval at an election or upon the filing of a proper petition with the city clerk or county clerk, the governing body may by resolution or ordinance determine the advisability of the improvement and may order that the district be established and that preliminary plans and specifications for the improvement be made. Such resolution or ordinance shall state and make findings as to the project name for the proposed improvement, the nature of the improvement, the estimated cost of such improvement, the boundaries of the neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and shall also state that the final cost of such improvement assessed against the real property within the neighborhood improvement district and the amount of general obligation bonds issued therefor shall not, without a new election or petition, exceed the estimated cost of such improvement by more than twenty-five percent.

5. The boundaries of the proposed district shall be described by metes and bounds, streets or other sufficiently specific description. The area of the neighborhood improvement district finally determined by the governing body of the city or county to be assessed may be less than, but shall not exceed, the total area comprising such district.

6. In any neighborhood improvement district organized prior to August 28, 1994, an assessment may be levied and collected after the original period approved for assessment of property within the district has expired, with the proceeds thereof used solely for maintenance of the improvement, if the residents of the neighborhood improvement district either vote to assess real property within the district for the maintenance costs in the manner prescribed in subsection 2 of this section or if the owners of two-thirds of the area of all real property located within the district sign a petition for such purpose in the same manner as prescribed in subsection 3 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Casey offered **House Amendment No. 1 to House Amendment No. 23.**

*House Amendment No. 1
to
House Amendment No. 23*

AMEND House Amendment No. 23 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 3, Section 67.457, Line 14, by deleting after the word "percent." all of the following:

"Any neighborhood improvement district in existence prior to August 28, 2007, where two-thirds of the property located in such district was owned by a single person, corporation, or limited liability partnership shall be nullified. Any remaining indebtedness resulting from the issuance of bonds to fund the improvements within the neighborhood improvement district shall revert to the governing body of the city or county."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Casey, **House Amendment No. 1 to House Amendment No. 23** was adopted.

On motion of Representative Roorda, **House Amendment No. 23, as amended**, was adopted.

Representative Harris (110) offered **House Amendment No. 24.**

House Amendment No. 24

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 122, Section 163.038, Line 8, by inserting after all of said line the following:

"177.088. 1. As used in this section, the following terms shall mean:

(1) "Board", the board of education, board of trustees, board of regents, or board of governors of an educational institution;

(2) "Educational institution", any school district, including all junior college districts, and any state college or university organized under chapter 174, RSMo.

2. The board of any educational institution may enter into agreements as authorized in this section with a not-for-profit corporation formed under the general not for profit corporation law of Missouri, chapter 355, RSMo, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of sites, buildings, facilities, furnishings and equipment for the use of the educational institution for educational purposes.

3. The board may on such terms as it shall approve:

(1) Lease from the corporation sites, buildings, facilities, furnishings and equipment which the corporation has acquired or constructed; or

(2) Notwithstanding the provisions of this chapter or any other provision of law to the contrary, sell or lease at fair market value, which may be determined by appraisal, to the corporation any existing sites owned by the educational institution, together with any existing buildings and facilities thereon, in order for the corporation to acquire, construct, improve, extend, repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease back or purchase such sites, buildings and facilities from the corporation; provided that upon selling or leasing the sites, buildings or facilities, the corporation agrees to enter into a lease for not more than one year but with not more than twenty successive options by the educational institution to renew the lease under the same conditions; and provided further that the corporation agrees to convey or sell the sites, buildings or facilities, including any improvements, extensions, renovations, furnishings or equipment, back to the educational institution with clear title at the end of the period of successive one-year options or at any time bonds, notes or other obligations issued by the corporation to pay for the improvements, extensions, renovations, furnishings or equipment have been paid and discharged.

4. Any consideration, promissory note or deed of trust which an educational institution receives for selling or leasing property to a not-for-profit corporation pursuant to this section shall be placed in a separate fund or in escrow, and neither the principal or any interest thereon shall be commingled with any other funds of the educational institutions. At such time as the title or deed for property acquired, constructed, improved, extended, repaired, remodeled or renovated under this section is conveyed to the educational institution, the consideration shall be returned to the corporation.

5. The board may make rental payments to the corporation under such leases out of its general funds or out of any other available funds, provided that in no event shall the educational institution become indebted in an amount exceeding in any year the income and revenue of the educational institution for such year plus any unencumbered balances from previous years.

6. Any bonds, notes and other obligations issued by a corporation to pay for the acquisition, construction, improvements, extensions, repairs, remodeling or renovations of sites, buildings and facilities, pursuant to this section, may be secured by a mortgage, pledge or deed of trust of the sites, buildings and facilities and a pledge of the revenues received from the rental thereof to the educational institution. Such bonds, notes and other obligations issued by a corporation shall not be a debt of the educational institution and the educational institution shall not be liable thereon, and in no event shall such bonds, notes or other obligations be payable out of any funds or properties other than those acquired for the purposes of this section, and such bonds, notes and obligations shall not constitute an indebtedness of the educational institution within the meaning of any constitutional or statutory debt limitation or restriction.

7. The interest on such bonds, notes and other obligations of the corporation and the income therefrom shall be exempt from taxation by the state and its political subdivisions, except for death and gift taxes on transfers. Sites, buildings, facilities, furnishings and equipment owned by a corporation in connection with any project pursuant to this section shall be exempt from taxation.

8. The board may make all other contracts or agreements with the corporation necessary or convenient in connection with any project pursuant to this section. The corporation shall comply with sections 290.210 to 290.340, RSMo.

9. Notice that the board is considering a project pursuant to this section shall be given by publication in a newspaper published within the county in which all or a part of the educational institution is located which has general circulation within the area of the educational institution, once a week for two consecutive weeks, the last publication to be at least seven days prior to the date of the meeting of the board at which such project will be considered and acted upon.

10. Provisions of other law to the contrary notwithstanding, the board may refinance any lease purchase agreement that satisfies at least one of the conditions specified in subsection 6 of section 165.011, RSMo, for the purpose of payment on any lease with the corporation under this section for sites, buildings, facilities, furnishings or equipment which the corporation has acquired or constructed, but such refinance shall not extend the date of maturity of any obligation, and the refinancing obligation shall not exceed the amount necessary to pay or provide for the payment of the principal of the outstanding obligations to be refinanced, together with the interest accrued thereon to the date of maturity or redemption of such obligations and any premium which may be due under the terms of such obligations and any amounts necessary for the payments of costs and expenses related to issuing such refunding obligations and to fund a capital projects reserve fund for the obligations.

11. Provisions of other law to the contrary notwithstanding, payments made from any source by a school district, after the latter of July 1, 1994, or July 12, 1994, that result in the transfer of the title of real property to the school district, other than those payments made from the capital projects fund, shall be deducted as an adjustment to the funds payable to the district pursuant to section 163.031, RSMo, beginning in the year following the transfer of title to the

district, as determined by the department of elementary and secondary education. **No district with modular buildings leased in fiscal year 2004, with the lease payments made from the incidental fund and that initiates the transfer of title to the district after fiscal year 2007, shall have any adjustment to the funds payable to the district under section 163.031, RSMo, as a result of the transfer of title."**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Harris (110) moved that **House Amendment No. 24** be adopted.

Which motion was defeated.

Representative Sutherland offered **House Amendment No. 25**.

House Amendment No. 25

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 94, Section 105.452, Line 30, by inserting after all of said line the following:

"108.170. 1. Notwithstanding any other provisions of any law or charter to the contrary, any issue of bonds, notes, or other evidences of indebtedness, including bonds, notes, or other evidences of indebtedness payable solely from revenues derived from any revenue-producing facility, hereafter issued under any law of this state by any county, city, town, village, school district, educational institution, drainage district, levee district, nursing home district, hospital district, library district, road district, fire protection district, water supply district, sewer district, housing authority, land clearance for redevelopment authority, special authority created under section 64.920, RSMo, authority created pursuant to the provisions of chapter 238, RSMo, or other municipality, political subdivision or district of this state shall be negotiable, may be issued in bearer form or registered form with or without coupons to evidence interest payable thereon, may be issued in any denomination, and may bear interest at a rate not exceeding ten percent per annum, and may be sold, at any sale, at the best price obtainable, not less than ninety-five percent of the par value thereof, anything in any proceedings heretofore had authorizing such bonds, notes, or other evidence of indebtedness, or in any law of this state or charter provision to the contrary notwithstanding. Such issue of bonds, notes, or other evidence of indebtedness may bear interest at a rate not exceeding fourteen percent per annum if sold at public sale after giving reasonable notice of such sale, at the best price obtainable, not less than ninety-five percent of the par value thereof; provided, that such bonds, notes, or other evidence of indebtedness may be sold to any agency or corporate or other instrumentality of the state of Missouri or of the federal government at private sale at a rate not exceeding fourteen percent per annum.

2. Notwithstanding the provisions of subsection 1 of this section to the contrary, the sale of bonds, notes, or other evidence of indebtedness issued by the state board of public buildings created under section 8.010, RSMo, the state board of fund commissioners created under section 33.300, RSMo, any port authority created under section 68.010, RSMo, the bi-state metropolitan development district authorized under section 70.370, RSMo, any special business district created under section 71.790, RSMo, any county, as defined in section 108.465, exercising the powers granted by sections 108.450 to 108.470, the industrial development board created under section 100.265, RSMo, any planned industrial expansion authority created under section 100.320, RSMo, the higher education loan authority created under section 173.360, RSMo, the Missouri housing development commission created under section 215.020, RSMo, the state environmental improvement and energy resources authority created under section 260.010, RSMo, the agricultural and small business development authority created under section 348.020, RSMo, any industrial development corporation created under section 349.035, RSMo, or the health and educational facilities authority created under section 360.020, RSMo, shall, with respect to the sales price, manner of sale and interest rate, be governed by the specific sections applicable to each of these entities.

3. Notwithstanding other provisions of this section or other law, the sale of bonds, notes or other evidence of indebtedness issued by any housing authority created under section 99.040, RSMo, may be sold at any sale, at the best price obtainable, not less than ninety-five percent of the par value thereof, and may bear interest at a rate not exceeding fourteen percent per annum. The sale shall be a public sale unless the issuing jurisdiction adopts a resolution setting forth clear justification why the sale should be a private sale except that private activity bonds may be sold either at public or private sale.

4. Notwithstanding other provisions of this section or law, industrial development revenue bonds may be sold at private sale and bear interest at a rate not exceeding fourteen percent per annum at the best price obtainable, not less than ninety-five percent of the par value thereof.

5. Notwithstanding other provisions in subsection 1 of this section to the contrary, revenue bonds issued for airport purposes by any constitutional charter city in this state which now has or may hereafter acquire a population of more than three hundred thousand but less than six hundred thousand inhabitants, according to the last federal decennial census, may bear interest at a rate not exceeding fourteen percent per annum if sold at public sale after giving reasonable notice, at the best price obtainable, not less than ninety-five percent of the par value thereof.

6. For purposes of the interest rate limitations set forth in this section, the interest rate on bonds, notes or other evidence of indebtedness described in this section means the rate at which the present value of the debt service payments on an issue of bonds, notes or other evidence of indebtedness, discounted to the date of issuance, equals the original price at which such bonds, notes or other evidence of indebtedness are sold by the issuer. Interest on bonds, notes or other evidence of indebtedness may be paid periodically at such times as shall be determined by the governing body of the issuer and may be compounded in accordance with section 408.080, RSMo.

7. Notwithstanding any provision of law or charter to the contrary:

(1) Any entity referenced in subsection 1 or 2 of this section and any other political corporation of the state which entity or political corporation has an annual operating budget for the current year exceeding twenty-five million dollars may, in connection with managing the cost to such entity or political corporation of purchasing fuel, electricity, natural gas, and other commodities used in the ordinary course of its lawful operations, enter into agreements providing for fixing the cost of such commodity, including without limitation agreements commonly referred to as hedges, futures, and options; provided that as of the date of such agreement, such entity or political corporation shall have complied with subdivision (3) of this subsection; and further provided that no eligible school, as defined in section 393.310, RSMo, shall be authorized by this subsection to enter into such agreements in connection with the purchase of natural gas while the tariffs required under section 393.310, RSMo, are in effect;

(2) Any entity referenced in subsection 1 or 2 of this section and any other political corporation of the state may, in connection with its bonds, notes, or other obligations then outstanding or to be issued and bearing interest at a fixed or variable rate, enter into agreements providing for payments based on levels of or changes in interest rates, including without limitation certain derivative agreements commonly referred to as interest rate swaps, hedges, caps, floors, and collars, provided that:

(a) As of the date of issuance of the bonds, notes, or other obligations to which such agreement relates, such entity or political corporation will have bonds, notes, or other obligations outstanding in an aggregate principal amount of at least fifty million dollars; and

(b) As of the date of such agreement, such entity's or political corporation's bonds, notes, or other obligations then outstanding or to be issued have received a stand-alone credit rating in one of the two highest categories, without regard to any gradation within such categories, from at least one nationally recognized credit rating agency, or such entity or political corporation has an issuer or general credit rating, in one of the two highest categories, without regard to any gradation within such categories, from at least one nationally recognized credit rating agency; and

(c) As of the date of such agreement, such entity or political corporation shall have complied with subdivision (3) of this subsection;

(3) Prior to entering into any agreements pursuant to subdivision (1) or (2) of this subsection, the governing body of the entity or political corporations entering into such agreements shall have adopted a written policy governing such agreements. Such policy shall be prepared by integrating the recommended practices published by the Government Finance Officers Association or comparable nationally recognized professional organization and shall provide guidance with respect to the permitted purposes, authorization process, mitigation of risk factors, ongoing oversight responsibilities, market disclosure, financial strategy, and any other factors in connection with such agreements determined to be relevant by the governing body of such entity or political corporation. Such entity or political corporation may enter into such agreements at such times and such agreements may contain such payment, security, default, remedy, and other terms and conditions as shall be consistent with the written policy adopted under this subdivision and as may be approved by the governing body of such entity or other obligated party, including any rating by any nationally recognized rating agency and any other criteria as may be appropriate;

(4) Nothing in this subsection shall be applied or interpreted to authorize any such entity or political corporation to enter into any such agreement for investment purposes or to diminish or alter the special or general power any such entity or political corporation may otherwise have under any other provisions of law including the special or general power of any interstate transportation authority."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 25** was adopted.

Representative Wilson (119) offered **House Amendment No. 26**.

House Amendment No. 26

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 137.092, Page 97, Line 13, by inserting immediately after the word "**facility**" the following:

"if the owner of the rental or leasing facility knows of or has been made aware of the nature of such personal property"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (119), **House Amendment No. 26** was adopted.

Representative Franz offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 7, Section 50.660, by inserting after all of said section the following:

"50.1250. 1. If a member has less than five years of creditable service upon termination of employment, the member shall forfeit the portion of his or her defined contribution account attributable to board matching contributions or county matching contributions pursuant to section 50.1230. The proceeds of such forfeiture shall be applied towards matching contributions made by the board for the calendar year in which the forfeiture occurs. If the board does not approve a matching contribution, then forfeitures shall revert to the county employees' retirement fund. The proceeds of such forfeiture with respect to county matching contributions shall be applied toward matching contributions made by the respective county in accordance with rules prescribed by the board.

2. A member shall be eligible to receive a distribution of the member's defined contribution account in such form selected by the member as permitted under and in accordance with the rules and regulations formulated and adopted by the board from time to time, and commencing as soon as administratively feasible following separation from service, unless the member elects to receive the account balance at a later time, but no later than his or her required beginning date. Notwithstanding the foregoing, if the value of a member's defined contribution account balance is [five] **one** thousand dollars or less at the time of the member's separation from service, without respect to any board-matching contributions or employer-matching contribution which might be allocated following the member's separation from service, then his or her defined contribution account shall be distributed to the member in a single sum as soon as administratively feasible following his or her separation from service. The amount of the distribution shall be the amount determined as of the valuation date described in section 50.1240, if the member has at least five years of creditable service. If the member has less than five years of creditable service upon his or her separation from service, then the amount of the distribution shall equal the portion of the member's defined contribution account attributable to the member's seed contributions pursuant to section 50.1220, if any, determined as of the valuation date.

3. If the member dies before receiving the member's account balance, the member's designated beneficiary shall receive the member's defined contribution account balance, as determined as of the immediately preceding valuation date, in a single sum. The member's beneficiary shall be his or her spouse, if married, or his or her estate, if not married, unless the member designates an alternative beneficiary in accordance with procedures established by the board."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 27** was adopted.

Representative Swinger offered **House Amendment No. 28**.

House Amendment No. 28

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 96, Section 110.150, Line 23, by inserting after all of said line the following:

"135.650. 1. As used in this section, the following terms mean:

(1) "Made in America", manufactured or produced within the United States of America or, if premanufactured, having a fair market value at least seventy percent of which results from domestic labor and materials;

(2) "Storm shelter", an above-ground safe room or an in-ground shelter in or near the taxpayer's primary residence that protects from injury or death caused by dangerous and extreme windstorms, that is in compliance with the requirements established in the Federal Emergency Management Agency's Publication 320 or its successor publication in effect at the time the storm shelter was completed, and that is made in America;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;

(4) "Taxpayer", any individual subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.

2. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit for the costs incurred in building a storm shelter on or after January 1, 2003. The tax credit amount shall be equal to the lesser of two thousand dollars or fifty percent of the incurred costs. The amount of the tax credit issued shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall be refundable, nor shall any tax credit granted under this section be transferable.

3. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

4. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Swinger, **House Amendment No. 28** was adopted.

Representative Frame offered **House Amendment No. 29**.

House Amendment No. 29

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 2, Page 191, Line 22, by inserting the following after all of said line:

"Section 3. If any water supply district or sewer district provides water services or sewerage services or combined water and sewerage services in any city of the fourth classification with more than five thousand four hundred but less than five thousand five hundred inhabitants and located in more than one county that also provides such services, the water supply district or sewer district cannot charge rates for the water services or sewerage services or combined water and sewerage services that are higher than the rates charged for such services by such city."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Frame moved that **House Amendment No. 29** be adopted.

Which motion was defeated.

Representative Meadows offered **House Amendment No. 30**.

House Amendment No. 30

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 190.305, Page 127, Line 57, by inserting the following after all of said line:

"190.528. 1. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of passengers by stretcher van upon the streets, alleys, or any public way or place of the state of Missouri unless such person holds a currently valid license from the department for a stretcher van service issued pursuant to the provisions of sections 190.525 to 190.537 notwithstanding any provisions of chapter 390 or 622, RSMo, to the contrary.

2. Subsection 1 of this section shall not preclude any political subdivision that is authorized to operate a licensed ambulance service from adopting any law, ordinance or regulation governing the operation of stretcher vans that is at least as strict as the minimum state standards, and no such regulations or ordinances shall prohibit stretcher van services that were legally picking up passengers within a political subdivision prior to January 1, 2002, from continuing to operate within that political subdivision and no political subdivision which did not regulate or prohibit stretcher van services as of January 1, 2002, shall implement unreasonable regulations or ordinances to prevent the establishment and operation of such services.

3. In any county with a charter form of government and with more than one million inhabitants, the governing body of the county shall set reasonable standards for all stretcher van services which shall comply with subsection 2 of this section. All such stretcher van services must be licensed by the department. The governing body of such county shall not prohibit a licensed stretcher van service from operating in the county, as long as the stretcher van service meets county standards.

4. Nothing shall preclude the enforcement of any laws, ordinances or regulations of any political subdivision authorized to operate a licensed ambulance service that were in effect prior to August 28, 2001.

5. Stretcher van services may transport passengers.

6. A stretcher van shall be staffed by at least two individuals when transporting passengers.

7. The crew of the stretcher van is required to immediately contact the appropriate ground ambulance service if a passenger's condition deteriorates.

8. [Stretcher van services shall not transport patients, persons currently admitted to a hospital or persons being transported to a hospital for admission or emergency treatment.] Passengers may be transported in a stretcher van provided the patient:

- (1) Needs no medical equipment (except self administered oxygen);
- (2) Needs no medical monitoring;

(3) Needs routine transportation to or from a medical appointment or service if that person is convalescent or otherwise non-ambulatory and does not require medical monitoring, aid, care, or treatment during transport.

9. Stretcher van services shall not transport patients currently admitted to a hospital or patients being transported to a hospital for admission or emergency treatment. A stretcher van shall not transport a patient whom:

- (1) Is acutely ill, wounded, or medically unstable.**
- (2) Is experiencing an emergency medical condition as defined in section 190.100, an acute medical condition, an exacerbation of a chronic medical condition, or a sudden illness or injury;**
- (3) Was administered a medication that might prevent the person from caring for his or her self;**
- (4) Is a hospital in-patient being transported to another hospital for the purpose of receiving a higher level of medical care;**
- (5) Is a hospital in-patient being discharged following treatment that could present the possibility of an adverse reaction;**
- (6) Is being transported to or from medical treatment, including but not limited to dialysis, wound care, and radiation, regardless of whether the treatment facility is a hospital or a freestanding facility.**

10. A stretcher van shall always be operated with:

- (1) Stretchers and mountings that meet or exceed current manufacturer's KKK-A-1822 specifications at the time of manufacture;**
- (2) Vehicles specifically designed, manufactured and equipped for use as a stretcher van which meets current Federal safety standards at the date of vehicle manufacture.**

[9.] **11.** The department of health and senior services shall promulgate regulations, including but not limited to adequate insurance, on-board equipment, vehicle staffing, vehicle maintenance, vehicle specifications, vehicle communications, passenger safety and records and reports.

[10.] **12.** The department of health and senior services shall issue service licenses for a period of no more than five years for each service meeting the established rules.

[11.] **13.** Application for a stretcher van license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.525 to 190.537. The application form shall contain such information as the department deems necessary to make a determination as to whether the stretcher van agency meets all the requirements of sections 190.525 to 190.537 and rules promulgated pursuant to sections 190.525 to 190.537. The department shall conduct an inspection of the stretcher van service to verify compliance with the licensure standards of sections 190.525 to 190.537.

[12.] **14.** Upon the sale or transfer of any stretcher van service ownership, the owner of the stretcher van service shall notify the department of the change in ownership within thirty days prior to the sale or transfer. The department shall conduct an inspection of the stretcher van service to verify compliance with the licensure standards of sections 190.525 to 190.537.

[13.] **15.** Ambulance services licensed pursuant to this chapter or any rules promulgated by the department of health and senior services pursuant to this chapter may provide stretcher van and wheelchair transportation services pursuant to sections 190.525 to 190.537.

[14.] **16.** Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda offered **House Amendment No. 1 to House Amendment No. 30.**

House Amendment No. 1
to
House Amendment No. 30

AMEND House Amendment No. 30 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 2, Section 190.528, Line 15, by striking the word "patient" and replacing it with the word "passenger".

On motion of Representative Roorda, **House Amendment No. 1 to House Amendment No. 30** was adopted.

On motion of Representative Meadows, **House Amendment No. 30, as amended**, was adopted.

Representative Schoeller offered **House Amendment No. 31**.

House Amendment No. 31

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.1360, Page 36, Line 117, by inserting the following after all of said line:

"67.1401. 1. Sections 67.1401 to 67.1571 shall be known and may be cited as the "Community Improvement District Act".

2. For the purposes of sections 67.1401 to 67.1571, the following words and terms mean:

(1) "Approval" or "approve", for purposes of elections pursuant to sections 67.1401 to 67.1571, a simple majority of those qualified voters voting in the election;

(2) "Assessed value", the assessed value of real property as reflected on the tax records of the county clerk of the county in which the property is located, or the collector of revenue if the property is located in a city not within a county, as of the last completed assessment;

(3) "Blighted area", an area which:

(a) By reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use; or

(b) Has been declared blighted or found to be a blighted area pursuant to Missouri law including, but not limited to, chapter 353, RSMo, sections 99.800 to 99.865, RSMo, or sections 99.300 to 99.715, RSMo;

(4) "Board", if the district is a political subdivision, the board of directors of the district, or if the district is a not-for-profit corporation, the board of directors of such corporation;

(5) "Director of revenue", the director of the department of revenue of the state of Missouri;

(6) "District", a community improvement district, established pursuant to sections 67.1401 to 67.1571;

(7) "Election authority", the election authority having jurisdiction over the area in which the boundaries of the district are located pursuant to chapter 115, RSMo;

(8) "Municipal clerk", the clerk of the municipality;

(9) "Municipality", any city, village, incorporated town, or county of this state, or in any unincorporated area that is located in any county with a charter form of government and with more than one million inhabitants;

(10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a district to carry out any of its powers, duties or purposes or to refund outstanding obligations;

(11) "Owner", for real property, the individual or individuals or entity or entities who own a fee interest in real property that is located within the district or their legally authorized representative; for business organizations and other entities, the owner shall be deemed to be the individual which is legally authorized to represent the entity in regard to the district;

(12) "Per capita", one head count applied to each individual, entity or group of individuals or entities having fee ownership of real property within the district whether such individual, entity or group owns one or more parcels of

real property in the district as joint tenants, tenants in common, tenants by the entirety [or] , tenants in partnership, **except that with respect to a condominium created under sections 448.1-101 to 448.4-120, RSMo, "per capita" means one head count applied to the applicable unit owners' association and not to each unit owner;**

(13) "Petition", a petition to establish a district as it may be amended in accordance with the requirements of section 67.1421;

(14) "Qualified voters",

(a) For purposes of elections for approval of real property taxes:

a. Registered voters; or

b. If no registered voters reside in the district, the owners of one or more parcels of real property which is to be subject to such real property taxes and is located within the district per the tax records for real property of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the thirtieth day prior to the date of the applicable election;

(b) For purposes of elections for approval of business license taxes or sales taxes:

a. Registered voters; or

b. If no registered voters reside in the district, the owners of one or more parcels of real property located within the district per the tax records for real property of the county clerk as of the thirtieth day before the date of the applicable election; and

(c) For purposes of the election of directors of the board, registered voters and owners of real property which is not exempt from assessment or levy of taxes by the district and which is located within the district per the tax records for real property of the county clerk, or the collector of revenue if the district is located in a city not within a county, of the thirtieth day prior to the date of the applicable election; and

(15) "Registered voters", persons who reside within the district and who are qualified and registered to vote pursuant to chapter 115, RSMo, pursuant to the records of the election authority as of the thirtieth day prior to the date of the applicable election."; and

Further amend said substitute, Section 67.1461, Page 42, Line 113, by inserting the following after all of said line:

"67.1485. 1. Any district organized as a nonprofit corporation may merge with another district organized as a nonprofit organization. Such merger shall be conducted under the procedures for merger provided in chapter 355, RSMo, and shall not become effective unless:

(1) The boundaries of the merging districts are contiguous;

(2) The articles of merger required under section 355.361, RSMo, contain a legal description of the surviving district corporation;

(3) The term of existence of the surviving district corporation stated in the articles of merger shall be equal to the shortest length of time remaining for existence of either merging district corporation as determined by the applicable ordinances establishing the merging district corporations;

(4) A copy of the articles of merger is sent to the department of economic development.

2. If two district corporations merge under this section, the board of directors of the surviving district corporation may continue to levy special assessments against such tracts, lots, or parcels listed, and in an amount as provided in, a previously authorized petition under section 67.1521, provided that the level of service stated in such petition is not decreased by the surviving district corporation. A new special assessment petition may be submitted to the surviving district corporation and, if stated in the petition, may supersede or replace the previously authorized special assessment petitions.

3. No merger under this section shall be construed to be a petition for termination under section 67.1481 or to invoke a plan of dissolution as provided in section 67.1481."; and

Further amend said substitute, Section 67.1545, Page 43, Line 54, by inserting the following after all of said line:

"67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question or the effective

date of the resolution levying such special assessment or tax in question **or the effective date of a merger of two districts under section 67.1485.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Flook offered **House Amendment No. 1 to House Amendment No. 31.**

House Amendment No. 1
to
House Amendment No. 31

AMEND House Amendment No. 31 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 1, by inserting before all of said line the following:

'AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.1360, Page 36, Lines 87 through 92, by deleting all of said lines and inserting in lieu thereof the following:

"fewer than six thousand five hundred inhabitants and located in more than one county"; and

Further'.

On motion of Representative Flook, **House Amendment No. 1 to House Amendment No. 31** was adopted.

On motion of Representative Schoeller, **House Amendment No. 31, as amended**, was adopted.

Representative Guest offered **House Amendment No. 32.**

House Amendment No. 32

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 247.060, Page 161, Line 28, by inserting after all of said line the following:

"250.300. 1. Sections 250.300 to 250.330 shall be known and may be cited as the "Wholesale Water and Sewer Authority Act".

2. As used in sections 250.300 to 250.330, the following terms mean:

- (1) "Authority", a wholesale water and sewer authority organized under sections 250.300 to 250.330;**
- (2) "Obligations", bonds, notes, or other agreements issued by the authority in accordance with sections 250.300 to 250.330 to finance or refinance the costs of projects;**
- (3) "Project", facilities and distribution systems used for wholesale water supply or distribution, or facilities and collection systems used for wholesale wastewater treatment or collection;**
- (4) "Provider", any political subdivision of the state owning or operating, or which has the authority to own and operate, a water system or a wastewater system, or both, which petitions for the formation of an authority or which is added to the membership of an authority after such authority is formed.**

250.303. 1. An authority may be created to fund, promote, plan, design, construct, improve, acquire, maintain, and operate one or more projects or to assist in such activity.

2. To create an authority, two or more providers shall file a petition in the circuit court of any county in which all or a portion of a project is proposed to be located requesting creation of an authority.

3. The petition shall set forth:

(1) A recital that the governing bodies of the providers have approved filing of the petition. A resolution or ordinance of each such governing bodies calling for the establishment of the authority shall be attached to the petition;

(2) A general description of the initial project or projects proposed to be undertaken by the authority, including a description of the approximate location thereof;

(3) The number of initial members of the board of directors of the authority;

(4) The name of the proposed authority;

(5) A proposal for initial funding for the authority in accordance with sections 250.300 to 250.330; and

(6) A request that the court enter its judgment that the authority is thereby formed as a political subdivision of the state.

4. Upon the filing of a petition, the circuit clerk shall provide notice to the public by causing one or more newspapers of general circulation serving the proposed providers to publish once a week for four consecutive weeks a notice in substantially the following form:

"NOTICE OF PETITION FOR THE CREATION AND FUNDING OF A WHOLESALE WATER AND SEWER AUTHORITY

Notice is hereby given to all persons residing in (here specifically describe the proposed providers), within the state of Missouri, that a petition has been filed requesting that a wholesale water and sewer authority by the name of "..... Wholesale Water and Sewer Authority" be formed for the purpose of developing the following project: (here summarize the proposed project or projects). A copy of this petition is on file and available at the office of the clerk of the circuit court of County, located at, Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the wholesale water and sewer authority and requesting a declaratory judgment, as required by law, no later than the day of, 20... You may show cause, if any, why such petition is defective or why the proposed wholesale water and sewer authority or its funding method, as set forth in the petition, is illegal, unconstitutional, unjust, or unreasonable and should not be approved by this court.

.....
Clerk of the Circuit Court of County".

5. The circuit court may also order a public hearing on the question of the creation and funding of the proposed authority, if deemed appropriate by the court, under such terms and conditions as the court deems appropriate. If a public hearing is ordered, notice of the time, date, and place of the hearing shall also be given in the notice specified in subsection 4 of this section. The court, for good cause shown, may continue the case or hearing thereon from time to time until final disposition thereof.

250.306. 1. Any resident of any provider may join in or file a petition supporting or answer opposing the creation of the authority and seeking a declaratory judgment respecting such same issues within thirty days after the date notice is last published by the circuit clerk.

2. The court shall hear the case without a jury. If the court shall thereafter determine the petition is defective or the proposed authority is illegal, unconstitutional, unjust, or unreasonable, the court shall enter a declaratory judgment to that effect and shall refuse to make the certifications requested in the pleadings. If the court determines that any proposed funding method is illegal, unconstitutional, unjust, or unreasonable, the court shall enter a judgment striking such funding method in whole or in part. If the court determines the petition is not legally defective and the proposed authority and method of funding is not illegal, unconstitutional, unjust, or unreasonable, the court shall enter a judgment to such effect and declare the authority organized as a political subdivision of the state.

3. Any party that files an answer or petition may appeal the circuit court's order or declaratory judgment in the same manner as provided for other appeals.

250.309. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition shall be paid by the petitioner. If an authority is organized under sections 250.300 to 250.330, the petitioner may be reimbursed for such costs out of the revenues received by the authority.

250.312. Following approval of the formation of the authority by the court, an authority may add to its membership providers not joining in the original petition. Such additional providers may be added in accordance with the procedure prescribed in this section. The authority shall hold a public hearing regarding the proposed additional provider and shall provide notice to the public by causing one or more newspapers of general circulation serving the existing providers and proposed additional provider to publish once a week for two consecutive weeks prior to the week in which the public hearing is held a notice in substantially the following form:

"NOTICE OF NEW PROVIDER FOR THE WHOLESALE WATER AND SEWER AUTHORITY

Notice is hereby given to all persons residing in (here specifically describe the applicable providers), within the state of Missouri, that the "..... Wholesale Water and Sewer Authority" will be holding a public hearing on (insert date) at (insert time) regarding the following: (here summarize the addition of proposed providers).".

The authority shall receive all public comments at the public hearing and following the closure thereof may by a vote of a majority of the board of directors add such provider to the membership of the authority.

250.315. The presiding officer, or the presiding officer's designee, of each provider shall, with the consent of the governing body of the provider, appoint one member and an alternate to the board of directors. Each director or alternate shall reside within the boundaries of the provider appointing such director or alternate and each such provider may remove the director or alternate representing such entity with or without cause. Each director or alternate shall serve until removed by the provider appointing such director or alternate, or until disqualified.

250.318. 1. The board shall possess and exercise all of the authority's legislative and executive powers, as such powers are described in sections 250.300 to 250.330.

2. The board shall meet within thirty days after the formation of the authority. At the first meeting, the board shall elect a chair from its members. The chair shall preside at all meetings of the board and, except as otherwise delegated by the board, shall execute all legal instruments of the authority. The chair shall be the principle executive officer of the authority with full responsibility for the planning, operations, and administrative affairs of the authority and the coordination thereof under policies and programs approved by the board from time to time and shall perform such other duties as the board may prescribe. The chair may conduct the ordinary and customary business of the authority between meetings of the board.

3. The board shall appoint an authority secretary and such other officers and employees as it deems necessary.

4. At the first meeting, the board shall define by resolution the first and subsequent fiscal years of the authority and may adopt a corporate seal.

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board and approve any board resolution, except a resolution to authorize obligations which shall require the approval of a majority of the entire board of directors.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and shall not be compensated; except that a director may be reimbursed for actual expenses incurred in the performance of the director's duties on behalf of the authority.

250.321. 1. The board of directors of the authority shall have the following powers:

(1) To accept by gift or grant from any person or entity, or from this state, any other state, or any political subdivision or municipality thereof, or from the United States any moneys or property or any interest therein for the uses and purposes of the authority and to hold title thereto in trust or otherwise and to bind the authority to apply the same according to the terms of such gift or grant;

(2) To sue and be sued;

(3) To enter into franchises, contracts, and agreements with this state, any other state, or the United States, or any municipality, political subdivision, or authority thereof, or any of their agencies or instrumentalities, or any public or private person, partnership, association, or corporation of this state, any other state, or the United States to fund, promote, plan, design, develop, construct, acquire, maintain, or operate any

project for the wholesale supply of water, including the purchase of guaranteed minimum or maximum quantities, or for any other service rendered to, for, or by the authority for such term of years as the board of directors of the authority may approve; and any such municipality, political subdivision, authority, or any of their agencies or instrumentalities, and any such public or private person, partnership, association, or corporation is hereby authorized to enter into contracts and agreements with such authority for such term of years as may be approved by such persons or the governing bodies of such entities, as applicable, to fund, promote, plan, design, develop, construct, acquire, maintain, or operate any facility for the wholesale supply of water, including the purchase of guaranteed minimum or maximum quantities, the provision of wastewater services, including the purchase of guaranteed minimum or maximum quantities, or for any other service rendered to, for, or by the authority;

(4) To borrow money and evidence the same by obligations as hereinafter provided in sections 250.300 to 250.330, and to refund the same by the issuance of refunding obligations;

(5) To acquire land and interests in land and other property by sale, lease, gift, purchase, or exchange, and to sell, lease, abolish, or otherwise dispose of such land, interests therein, or other property;

(6) To acquire by purchase or lease facilities for the wholesale production, distribution, and utilization of water and the wholesale collection and treatment of wastewater;

(7) To operate and maintain any of the facilities owned and acquired by the authority;

(8) To establish a system of fees and charges for services provided by the authority;

(9) To provide wholesale water service and wholesale wastewater service to providers utilizing the projects acquired or constructed by the authority, and to furnish retail water service and sewer service to end users, provided that in the case of provision of retail water or sewer service the authority receives the prior written consent, whether in blanket form or otherwise, of a provider or other political subdivision in this state in which the end user is located, and further provided that in the case of provision of retail service, such service is provided as incident to an agreement between the authority and one or more property owners related to acquisition of real property or rights therein for the purpose of constructing a portion of a project to be owned by an authority;

(10) To have the general management, control, and supervision of all the business, affairs, property, and facilities of the authority, and of the construction, installation, operation, and maintenance of authority improvements, and to establish regulations relating thereto;

(11) To hire and retain agents, employees, engineers, and attorneys and to determine their compensation;

(12) To adopt and amend rules and regulations not in conflict with the constitution and laws of this state which are necessary for the carrying on of business, objects, and affairs of the board of directors and of the authority;

(13) To invest the funds of the authority not needed for current operations in either open time deposits or certificates of deposit secured under sections 110.010 and 110.020, RSMo; or in bonds of the state of Missouri, the United States, or any wholly owned corporation of the United States, or in other short-term obligations of the United States, or any obligation or instrument described in subdivisions (1) to (12) of subsection 1 of section 30.270, RSMo; and

(14) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted herein. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes of sections 250.300 to 250.330.

250.324. 1. In addition to the other powers granted the authority and providers in sections 250.300 to 250.330, providers or any other political subdivision of this state owning or operating, or which has the authority to own and operate, a water system or a wastewater system, or both, may enter into purchase agreements with the authority for the purchase, sale, exchange, or transmission of wholesale water or wastewater service whereby they are obligated to make payments in amounts which shall be sufficient to enable the authority to meet its expenses, interest and principal payments, whether at maturity or upon sinking fund redemption, for its obligations, reasonable reserves for debt service, operation, and maintenance, and renewals and replacements, and the requirements of any rate covenants with respect to debt service coverage contained in any resolution, trust indenture, or other security instrument. Purchase agreements may contain such other terms and conditions as may be determined by the parties, including provisions obligating payments for wholesale water or wastewater service irrespective of whether such wholesale water or wastewater services is produced or delivered, or collected or delivered to the authority, or whether any project contemplated by any such agreement is completed, operable, or operating, and notwithstanding suspension, interruption, interference, reduction, or curtailment of the services

of such project. Such agreements may be for a term covering the life of a project or for any other term, or for an indefinite period. Such agreement may provide that if one or more of the providers or users of any project or facility default in the payment of its obligations under any such agreement, the remaining providers or users which also have such agreements shall be required to accept and pay for and shall be entitled proportionately to use or otherwise dispose of the wholesale water or wastewater service purchased by the defaulting provider or user.

2. The obligations of a provider or user of a project or facility under a purchase agreement with an authority or arising out of the default by any other provider or user with respect to such an agreement shall not be construed to constitute debt of the provider or user. To the extent provided in the purchase agreement, such obligations shall constitute special obligations of the provider or user, payable solely from revenues and other moneys derived by the provider or user from its utility and shall be treated as expenses of operating the utility.

250.327. 1. An authority may at any time authorize or issue obligations for the purpose of paying all or any part of the cost of any project. Every issue of such obligations shall be payable from the net revenues of the wholesale water system, wholesale sewer system, or a combination thereof as the case may be, of the authority, including without limitation the proceeds of any agreement with any provider or user for the sale of wholesale water or wastewater services, and may be further secured by other property of the authority which may be pledged, assigned, mortgaged, or a security interest granted for such payment without preference or priority of the first obligations issued subject to any agreement with the holders of any other obligations pledging any specified property or revenues. Such obligations shall be authorized by resolution of the majority of the entire board of directors of the authority and, if issued by the authority, shall bear such date or dates and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify. Such obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest obligations, compound interest obligations, variable rate obligations, convertible obligations, or zero coupon obligations, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide notwithstanding the provisions of section 108.170, RSMo. The obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the authority shall determine.

2. Any issue of authority obligations outstanding may be refunded at any time by the authority by issuing its refunding obligations in such amount as the authority may deem necessary. Such obligations may not exceed the amount sufficient to refund the principal of the obligations so to be refunded together with any unpaid interest thereon and any premiums, commissions, service fees, and other expenses necessary to be paid in connection with the refunding. Any such refunding may be effected either by sale of the refunding obligations and the application of the proceeds thereof to the payment of the obligations being refunded or by the exchange of the refunding obligations for the obligations being refunded with the consent of the holder or holders of the obligations being refunded. Refunding obligations may be issued regardless of whether the obligations being refunded were issued in connection with the same project or a separate project and regardless of whether the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

3. Obligations issued under this section shall exclusively be the responsibility of the authority payable solely out of authority funds and property provided in sections 250.300 to 250.330 and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state, or any of the providers or users. The authority shall not be obligated to pay such obligations with any funds other than those specifically pledged to repayment of the obligations. Any obligations issued by an authority shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the authority.

4. Obligations issued under this section, the interest thereon, or any proceeds from such obligations shall be exempt from taxation in the state of Missouri for all purposes except the state estate tax.

5. The authority may enter into funding or financing arrangements or any other contract or agreement with any person or business entity, or any federal, state, or local government agency or authority deemed necessary or desirable to fund, finance, or effectuate any project, including without limitation credit enhancement, credit support or interest rate agreements.

250.330. 1. Proceedings for the dissolution of an authority shall be substantially the same as proceedings for the formation of the authority, as follows: A petition describing the authority sought to be dissolved shall be filed with the clerk of the circuit court of the county wherein the petition to form the authority was filed. Such

petition shall allege that further operation of the authority is inimicable to the best interests of the providers which are members of the authority, that the authority should in the interest of the public welfare and safety be dissolved, that an alternative for the services of the projects owned and operated by the authority is available and better able to serve the providers that are members of the authority, and such other information as may be useful to the court in determining whether the petition should be granted and a decree of dissolution entered. Such petition shall also include a detailed plan for payment of all debt and obligations of the authority at the time of dissolution. Such petition shall be accompanied by a cash deposit of fifty dollars as an advancement of the costs of the proceeding and the petition shall be signed by a majority of the providers that are members of the authority. The authority shall be a party and, if the board of directors in its discretion determines that such dissolution is not in the public interest, the authority shall oppose such petition and pay all cost and expense thereof.

2. Upon the filing of the petition, the petition shall be presented to the circuit court and such court shall fix a date for a hearing on such petition as provided in this section. Thereupon, the clerk of the court shall give notice of the filing of the petition in some newspaper of general circulation in each of the providers that are members of the authority. The notice shall contain a description of the general purposes of the petition and shall set forth the date fixed for the hearing on the petition, which shall not be less than seven nor more than twenty-one days after the date of the last publication of the notice and shall be on some regular judicial day of the court wherein the petition is pending. Such notice shall be signed by the clerk of the circuit court and shall be published in three successive issues of a weekly newspaper or in twenty successive issues of a daily newspaper.

3. The court, for good cause shown, may continue the case or the hearing thereon from time to time until final disposition thereof.

4. Exceptions to the dissolution of an authority may be made by any voter of the providers that are members of the authority and by the authority as herein provided. Such exceptions shall be filed not less than five days prior to the date set for the hearing on the petition, and shall specify the grounds upon which the exceptions are filed and the court shall take them into consideration in passing upon the petition and shall also consider the evidence in support of the petition and in support of the exceptions made. Unless petitioners prove that all debts and financial obligations of the authority can be paid in full upon dissolution, the petition shall be dismissed at the cost of the petitioners.

5. If the court finds that it would not be to the public interest to dissolve an authority, the petition shall be dismissed at the costs of the petitioners. If, however, the court finds in favor of the petitioners, the court shall enter its interlocutory decree of dissolution which decree shall provide for the submission of the question to the voters of the authority in substantially the following form:

"Shall Wholesale Water and Sewer Authority be dissolved?".

6. The decree of dissolution shall not become final and conclusive until it shall have been submitted to the voters residing within the boundaries of each provider that is a member of the authority and until it shall have been assented to by a majority of two-thirds of the voters voting on the proposition. The decree shall provide for the submission of the question and shall fix the date thereof. The returns shall be certified by the election authorities to the circuit court having jurisdiction in the case and the court shall thereupon enter its order canvassing the returns and declaring the result of such election.

7. If upon canvass and declaration it is found and determined that the question shall have been assented to by a majority of two-thirds of the voters voting on such proposition, the court shall in such order declaring the result of the election enter a further order declaring the decree of dissolution to be final and conclusive. If, however, the court finds that the question had not been assented to by the majority required, the court shall enter a further order declaring such decree of dissolution to be void and of no effect. No appeal shall lie from any of the aforesaid orders. If the court declares the decree of dissolution to be final, as provided in this section, the clerk of the circuit court shall file certified copies of such decree of dissolution and of such final order with the secretary of state of the state of Missouri and with the recorder of deeds of the county or counties in which the authority does business and with the clerk of the county commission of the county or counties in which the authority does business.

8. Notwithstanding any other provision of this section to the contrary, no authority shall be dissolved until after all of its debts shall have been paid and the court in its decree of dissolution provides for the disposition of the property of the authority."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guest moved that **House Amendment No. 32** be adopted.

Which motion was defeated.

Representative Schlottach offered **House Amendment No. 33**.

House Amendment No. 33

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 154, Section 228.110, by inserting after all of said section the following:

"228.190. 1. All roads in this state that have been established by any order of the county commission, and have been used as public highways for a period of ten years or more, shall be deemed legally established public roads; and all roads that have been used as such by the public for ten years continuously, and upon which there shall have been expended public money or labor for such period, shall be deemed legally established roads; and nonuse by the public for five years continuously of any public road shall be deemed an abandonment and vacation of the same.

2. From and after January 1, 1990, any road in any county that has been identified as a county road for which the county receives allocations of county aid road trust funds from or through the department of transportation for a period of at least five years shall be conclusively deemed to be a public county road without further proof of the status of the road as a public road. No such public road shall be abandoned or vacated except through the actions of the county commission declaring such road vacated after public hearing, or through the process set out in section 228.110.

3. In any litigation where the subject of a public road is at issue under this section, an exact location of the road is not required to be proven. Once the public road is determined to exist, the judge may order a survey to be conducted to determine the exact location of the public road and charge the costs of the survey to the party who asserted that the public road exists."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schlottach, **House Amendment No. 33** was adopted.

Representative Swinger offered **House Amendment 34**.

House Amendment No. 34

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 94.875, Page 83, Line 5, by deleting both sets of opening and closing brackets "[]" on said line, and by deleting the word "**may**"; and

Further amend said section and page, Line 6 and Line 8, by deleting the opening bracket "[" on Line 6, and by deleting the first closing bracket "]" on Line 8; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Swinger moved that **House Amendment No. 34** be adopted.

Which motion was defeated.

Representative Roorda offered **House Amendment No. 35**.

House Amendment No. 35

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.320, Page 18, Line 7, by deleting the words "**in all subject areas of the county's orders and ordinances**" and inserting in lieu thereof "**, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 35** was adopted.

Representative Kelly offered **House Amendment No. 36**.

House Amendment No. 36

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 2, Page 191, Line 22, by inserting immediately after said line the following:

"Section 3. 1. In any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, the governing body of any fire protection district may impose a sales tax in an amount up to one percent on all retail sales made in such fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo, provided that such sales tax shall be accompanied by a reduction in the district's tax rate as defined in section 137.073, RSMo. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the fire protection district submits to the voters of such fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the fire protection district to impose a tax pursuant to this section.

2. The ballot of submission shall contain, but need not be limited to, the following language:

"Shall.....(insert name of fire protection district) impose a sales tax of(insert amount up to one) percent for the purpose of providing revenues for the operation of the(insert name of fire protection district) and the total property tax levy on properties in the(insert name of the fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?

Yes

No

If you are favor of the question, plan an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such fire protection district resubmits a proposal to authorize the governing body of the fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

4. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in two special trust funds, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

5. Ninety-five percent of the sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited into the "Ambulance or Fire Protection District Sales Tax Trust Fund" pursuant to section 321.552, RSMo. The remaining five percent of the sales taxes collected by the director of revenue pursuant to this section shall be deposited in a special trust fund,

which is hereby created, to be known as the "Distressed Fire Protection District Fund". The moneys in the distressed fire protection district fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month in equal parts to the governing body of any fire protection district located within any county with a charter form of government and with more than one million inhabitants, with a median household income of seventy percent or less of the median household income for the county in which such fire protection is located; such funds shall be deposited with the board treasurer of each such district.

6. The director of revenue may make refunds from the amounts in the trust fund and credit any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. If any district abolishes the tax, the district shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bruns offered **House Amendment No. 1 to House Amendment No. 36.**

House Amendment No. 1

to

House Amendment No. 36

AMEND House Amendment No. 36 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 168, Section 320.200, Lines 7-11, by deleting all of said lines and inserting in lieu thereof the following:

"(3) "Fire department", an agency or organization that provides fire suppression and related activities, including but not limited to, fire prevention, rescue, emergency medical services, hazardous material response, or special operation to a population within a fixed and legally recorded geographical area. The term "fire department" shall include any municipal fire department or any fire protection district as defined in section 321.010, RSMo, or voluntary fire protection association as defined in section 320.300, engaging in this type of activity."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 1 to House Amendment No. 36** was adopted.

On motion of Representative Kelly, **House Amendment No. 36, as amended**, was adopted.

Representative Dixon offered **House Amendment No. 37.**

House Amendment No. 37

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 432.070, Page 184, Line 14, by inserting the following after all of said line:

"451.040. 1. Previous to any marriage in this state, a license for that purpose shall be obtained from the officer authorized to issue the same, and no marriage contracted shall be recognized as valid unless the license has been previously obtained, and unless the marriage is solemnized by a person authorized by law to solemnize marriages.

2. Before applicants for a marriage license shall receive a license, and before the recorder of deeds shall be authorized to issue a license, the parties to the marriage shall present an application for the license, duly executed and signed in the presence of the recorder of deeds or their deputy. Each application for a license shall contain the Social Security number of the applicant, provided that the applicant in fact has a Social Security number, or the applicant shall sign a statement provided by the recorder that the applicant does not have a Social Security number. The Social Security number contained in an application for a marriage license shall be exempt from examination and copying pursuant to section 610.024, RSMo. [Upon the expiration of three days after] After the receipt of the application the recorder of deeds shall issue the license, unless one of the parties withdraws the application. The license shall be void after thirty days from the date of issuance.

3. [Provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, without waiting three days, such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable.

4.] 4. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

[5.] 4. Common-law marriages shall be null and void.

[6.] 5. Provided, however, that no marriage shall be deemed or adjudged invalid, nor shall the validity be in any way affected for want of authority in any person so solemnizing the marriage pursuant to section 451.100, if consummated with the full belief on the part of the persons, so married, or either of them, that they were lawfully joined in marriage."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dixon, **House Amendment No. 37** was adopted.

Representative Lembke offered **House Amendment No. 38**.

House Amendment No. 38

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 14, Section 66.010, Line 58, by inserting after all of said line the following:

"66.450. No county with a charter form of government and with more than one million inhabitants shall enact any charter provision governing the establishment of areas within the unincorporated areas of such county for the collection and transfer of waste and recovered materials, or authorizing bids or proposals for the provision of such services. Any such charter provision shall be void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lembke, **House Amendment No. 38** was adopted.

Representative McClanahan offered **House Amendment No. 39**.

House Amendment No. 39

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 104, Section 137.115, Line 163, by inserting after all of said line the following:

"137.1040. 1. In addition to other levies authorized by law, the governing body of any county, city, town, township, or village in their discretion may levy an additional tax, not to exceed one quarter of one cent on each one hundred dollars assessed valuation, on all taxable real property located within such county, city, town, township, or village.

2. To the extent necessary to comply with article X, section 22(a) of the Missouri Constitution, for any county, city, town, township, or village with a tax levy at or above the limitations provided under article X, section 11(b), no ordinance adopted under this section shall become effective unless the governing body submits to the voters of the county, city, town, township, or village at a state general, primary, or special election a proposal to authorize the imposition of a tax under this section. The tax authorized under this section shall be levied and collected in the same manner as other real property taxes are levied and collected. Such tax shall be in addition to all other taxes imposed on real property, and shall be stated separately from all other charges and taxes. Such tax shall not become effective unless the governing body, by order or ordinance, submits to the voters a proposal to authorize the county, city, town, township, or village to impose a tax under this section on any day available to hold elections or at a special election called for that purpose.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

"Shall (insert the name of the county, city, town, township, or village) impose a tax on all real property situated in (name of county) at a rate of one quarter of one cent per one hundred dollars assessed valuation percent for the sole purpose of providing funds for the maintenance, upkeep, and preservation of cemeteries museum?"

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following notification to the collector of revenue for such county, city, town, township, or village. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. The tax imposed under this section shall be known as the "Cemetery Maintenance Tax". Each county, city, town, township, or village imposing a tax under this section shall establish separate trust funds to be known as the "Cemetery Maintenance Trust Fund". The treasurer shall deposit the revenue derived from the tax imposed under this section for cemetery purposes in the cemetery maintenance trust fund. The proceeds of such tax shall be appropriated by the governing body exclusively for the maintenance, upkeep, and preservation of cemeteries located within the county, city, town, township, or village.

5. All applicable provisions in this chapter relating to property tax shall apply to the collection of any tax imposed under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative McClanahan moved that **House Amendment No. 39** be adopted.

Which motion was defeated.

Representative Villa offered **House Amendment No. 40**.

House Amendment No. 40

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 537.035, Page 189, by inserting after all of said section the following:

"537.610. 1. The commissioner of administration, through the purchasing division, and the governing body of each political subdivision of this state, notwithstanding any other provision of law, may purchase liability insurance for tort claims, made against the state or the political subdivision, but the maximum amount of such coverage shall not exceed two million dollars for all claims arising out of a single occurrence and shall not exceed three hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the

Missouri workers' compensation law, chapter 287, RSMo, and no amount in excess of the above limits shall be awarded or settled upon. Sovereign immunity for the state of Missouri and its political subdivisions is waived only to the maximum amount of and only for the purposes covered by such policy of insurance purchased pursuant to the provisions of this section and in such amount and for such purposes provided in any self-insurance plan duly adopted by the governing body of any political subdivision of the state.

2. The liability of the state and its public entities on claims within the scope of sections 537.600 to 537.650, shall not exceed two million dollars for all claims arising out of a single accident or occurrence and shall not exceed three hundred thousand dollars for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri workers' compensation law, chapter 287, RSMo.

3. The liability of the state or any public entities created pursuant to sections 99.010 to 99.230, RSMo, and any officer or employee of such public entities arising out of the operation of a motor vehicle being operated within the course and scope of their office or employment with such public entities, shall not exceed two million dollars for all claims against all such public entities or individuals arising out of a single accident or occurrence. When a claim against the state or one of its public entities created pursuant to sections 99.010 to 99.230, RSMo, arises out of the operation of a motor vehicle as described in subdivision (1) of subsection 1 of section 537.600 and a claim is also brought against an officer or employee of such public entities arising out of the same accident or occurrence, the maximum allowable recovery against the state, such public entities, or any officer or employee of such public entities shall be reduced by any amount paid towards the claim by the state, such public entities or officers or employees of the same.

4. The liability of the state or public entities created pursuant to sections 99.010 to 99.230, RSMo, and officer or employee of such public entities arising out of any dangerous condition of property which the officer or employee allegedly caused or contributed to cause, shall not exceed two million dollars for all claims against all such public entities or individuals arising out of the single accident or occurrence, and shall not exceed three hundred thousand dollars for any one person in a single accident or occurrence. When a claim against the state or such public entities arises out of a dangerous condition of property as described in subdivision (2) of subsection 1 of section 537.600, and the claim is also brought against an officer or employee of such public entities for causing or contributing to cause the dangerous condition, then the maximum allowable recovery against the state or such public entities or any officer or employee of such public entities who allegedly caused or contributed to cause the dangerous condition shall be reduced by the amount paid toward the claim made by the state, such public entities, or any officer or employee of the same.

5. The liability of the state or any public entities created pursuant to sections 99.010 to 99.230, RSMo, for operation of a motor vehicle is vicarious to the liability of the operator of the motor vehicle. Should the operator of the motor vehicle owned or operated on behalf of the state or such public entities be found to be immune from liability for operation of a motor vehicle because of official immunity or otherwise, the state or its public entities shall also have no liability arising from the operation of the motor vehicle.

[3.] 6. No award for damages on any claim against a public entity within the scope of sections 537.600 to 537.650, shall include punitive or exemplary damages.

[4.] 7. If the amount awarded to or settled upon multiple claimants exceeds two million dollars, any party may apply to any circuit court to apportion to each claimant his proper share of the total amount limited by subsection 1 of this section. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to him bears to the aggregate awards and settlements for all claims arising out of the accident or occurrence, but the share shall not exceed three hundred thousand dollars.

[5.] 8. The limitation on awards for liability provided for in this section shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The current value of the limitation shall be calculated by the director of the department of insurance, who shall furnish that value to the secretary of state, who shall publish such value in the Missouri Register as soon after each January first as practicable, but it shall otherwise be exempt from the provisions of section 536.021, RSMo.

[6.] 9. Any claim filed against any public entity under this section shall be subject to the penalties provided by supreme court rule 55.03."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Villa, **House Amendment No. 40** was adopted.

Representative Burnett offered **House Amendment No. 41.**

House Amendment No. 41

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 479.010, Page 185, Lines 2-3, by deleting said lines and inserting in lieu thereof the following:

"before divisions of the circuit court as hereinafter provided in this chapter. **"Heard and determined", for purposes of this chapter, shall mean any process under which the court in question**"; and

Further amend said substitute, Section 479.011, Page 185, Line 3, by inserting a comma "," after the word **"civil"**; and

Further amend said section, Page 186, Lines 31-33, by deleting said lines and inserting in lieu thereof the following:

"subject to review under chapter 536, RSMo, **or, at the request of the defendant made within ten days, a trial de novo in the circuit court.** After expiration of the judicial review period under chapter 536, RSMo, unless stayed by a court of competent jurisdiction, the administrative"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burnett, **House Amendment No. 41** was adopted.

Representative Brown (30) offered **House Amendment No. 42.**

House Amendment No. 42

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 160, Section 238.275, Line 36, by inserting immediately after said line the following:

"246.005. 1. Notwithstanding any other provision of law, any drainage district, any levee district, or any drainage and levee district organized under the provisions of sections 242.010 to 242.690, RSMo, or sections 245.010 to 245.280, RSMo, which has, prior to April 8, 1994, been granted an extension of the time of corporate existence by the circuit court having jurisdiction, shall be deemed to have fully complied with all provisions of law relating to such extensions, including the time within which application for the extension must be made, unless, for good cause shown, the circuit court shall set aside such extension within ninety days after April 8, 1994.

2. Notwithstanding any other provision of law, any drainage district, any levee district, or any drainage and levee district organized under the provisions of sections 242.010 to 242.690, RSMo, or sections 245.010 to 245.280, RSMo, shall have [five] **ten** years after the lapse of the corporate charter in which to reinstate and extend the time of the corporate existence by the circuit court having jurisdiction, and such circuit court judgment entry and order shall be deemed to have fully complied with all provisions of law relating to such extensions."; and

Further amend said bill, Page 192, Section B, Line 14, by inserting immediately after said line the following:

"Section C. Because of the need for continued flood protection, the repeal and reenactment of section 246.005 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 246.005 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Brown (30), **House Amendment No. 42** was adopted.

Representative St. Onge offered **House Amendment No. 43.**

House Amendment No. 43

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 98, Section 137.100, Lines 1 to 62, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Pratt offered **House Amendment No. 1 to House Amendment No. 43.**

House Amendment No. 1

to

House Amendment No. 43

AMEND House Amendment No. 43 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Line 3, by deleting all of said line and inserting in lieu thereof the following:

'137.100, Lines 6 through 10, by deleting all of said lines and inserting in lieu thereof the following:

"and equipments, and on public squares and lots kept open for health, use or ornament;" ' ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pratt, **House Amendment No. 1 to House Amendment No. 43** was adopted.

On motion of Representative St. Onge, **House Amendment No. 43, as amended**, was adopted.

Representative Dusenberg offered **House Amendment No. 44.**

House Amendment No. 44

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 260.831, Page 163, Line 26, by inserting after all of said section and line the following:

"287.067. 1. In this chapter the term "occupational disease" is hereby defined to mean, unless a different meaning is clearly indicated by the context, an identifiable disease arising with or without human fault out of and in the course of the employment. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where the diseases follow as an incident of an occupational disease as defined in this section. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin in a risk connected with the employment and to have flowed from that source as a rational consequence.

2. An injury by occupational disease is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

3. An injury due to repetitive motion is recognized as an occupational disease for purposes of this chapter. An occupational disease due to repetitive motion is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

4. "Loss of hearing due to industrial noise" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be a loss of hearing in one or both ears due to prolonged exposure to harmful noise in employment. "Harmful noise" means sound capable of producing occupational deafness.

5. "Radiation disability" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be that disability due to radioactive properties or substances or to Roentgen rays (X-rays) or exposure to ionizing radiation caused by any process involving the use of or direct contact with radium or radioactive properties or substances or the use of or direct exposure to Roentgen rays (X-rays) or ionizing radiation.

6. Disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart or cardiovascular system, including carcinoma, may be recognized as occupational diseases for the purposes of this chapter and are defined to be disability due to exposure to smoke, gases, carcinogens, inadequate oxygen, of paid firefighters of a paid fire department or paid police officers of a paid police department certified under chapter 590, RSMo, if a direct causal relationship is established, or psychological stress of firefighters of a paid fire department **or paid police officers of a paid police department certified under chapter 590, RSMo**, if a direct causal relationship is established.

7. Any employee who is exposed to and contracts any contagious or communicable disease arising out of and in the course of his or her employment shall be eligible for benefits under this chapter as an occupational disease.

8. With regard to occupational disease due to repetitive motion, if the exposure to the repetitive motion which is found to be the cause of the injury is for a period of less than three months and the evidence demonstrates that the exposure to the repetitive motion with the immediate prior employer was the prevailing factor in causing the injury, the prior employer shall be liable for such occupational disease."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dusenber, **House Amendment No. 44** was adopted.

Representative Stevenson offered **House Amendment No. 45**.

House Amendment No. 45

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 107, Section 144.030, Lines 72 to 73, by deleting all of said lines and inserting in lieu thereof the following:

"more or trailers used by common carriers, as defined in section 390.020, RSMo, [solely] in the transportation of persons or property [in interstate commerce]"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 45** was adopted.

Representative Portwood offered **House Amendment No. 46**.

House Amendment No. 46

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 165, Section 302.010, Line 88, by inserting after all of said line the following:

"320.097. 1. As used in this section, "fire department" means any agency or organization that provides fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, dispatching, or special operations to a population within a fixed and legally recorded geographical area.

2. No employee of a fire department shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department's geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee's employment. No charter school shall be deemed a public school for purposes of this section.

3. No employee of a fire department who has not resided in such fire department's fixed and legally recorded geographical area, or who has changed such employee's residency because of conditions described in subsection 2 of this section, shall as a condition of employment be required to reside within the fixed and legally recorded geographical area of the fire department if such school district subsequently becomes fully accredited."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Corcoran offered **House Amendment No. 1 to House Amendment No. 46.**

House Amendment No. 1
to
House Amendment No. 46

AMEND House Amendment No. 46 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 2, Line 7, by inserting the following immediately after "accredited":

";

4. Unless the voters of a city not within a county vote to supersede this section by the same majority needed to change the charter of said city by September 1, 2008, this section shall be in force for the city not within a county. In addition, any employee who resides outside the city will forfeit one percent of his or her salary for the time the employee is not living in the city to offset any lost revenue to the city.

5. The ballot of submission for this authorization shall be in substantially the following form:

Shall . . . (insert name of city) be allowed to prevent fire department employees from paying one percent of their salaries to the city in order to reside outside the city limits when the public school system is or has been unaccredited or provisionally accredited?

YES

NO

If you are in favor of the question, place an "X" in the box opposite "YES"> If you are opposed to the question, place an "X" in the box opposite "NO" " and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Corcoran, **House Amendment No. 1 to House Amendment No. 46** was adopted by the following vote:

AYES: 105

Avery	Bearden	Bivins	Brown 50	Bruns
Burnett	Casey	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 86	Daus	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Hobbs	Hodges
Holsman	Ice	Jones 89	Kelly	Kratky
Kraus	Lampe	Lembke	LeVota	Liese
Low 39	Lowe 44	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
St. Onge	Storch	Stream	Sutherland	Talboy

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Thomson	Threlkeld	Tilley	Viebrock	Villa
Walsh	Weter	Wildberger	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Mr Speaker

NOES: 048

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Chappelle-Nadal	Cooper 120	Curls
Davis	Day	Dusenberg	El-Amin	Emery
Ervin	Harris 110	Haywood	Hoskins	Hubbard
Hughes	Hunter	Jones 117	Komo	Kuessner
Lipke	Loehner	Marsh	McClanahan	Nasheed
Oxford	Pollock	Robinson	Sater	Scharnhorst
Schlottach	Stevenson	Swinger	Todd	Vogt
Wallace	Walton	Wasson	Wells	Whorton
Wilson 119	Witte	Wright-Jones		

PRESENT: 002

Darrough	Spreng
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ABSENT WITH LEAVE: 008

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Ruestman	Wilson 130	Zweifel		

Representative Villa offered **House Amendment No. 2 to House Amendment No. 46.**

House Amendment No. 2
to
House Amendment No. 46

AMEND House Amendment No. 46 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 1, Section 320.097, Line 9, by inserting before the word "no" the following:

"upon approval of the Board of Aldermen,".

Representative Cooper (120) resumed the Chair.

On motion of Representative Villa, **House Amendment No. 2 to House Amendment No. 46** was adopted by the following vote:

AYES: 097

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Curls	Daus
Davis	Day	Dethrow	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Fallert	Fares
Flook	Frame	George	Grill	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Jones 117	Komo
Kratky	Kuessner	LeVota	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
Munzlinger	Nance	Nasheed	Nolte	Norr
Oxford	Parson	Pearce	Pollock	Quinn 7

Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Sater	Scharnhorst	Schieffer
Schlottach	Schneider	Schoemehl	Shively	Skaggs
Spreng	Swinger	Talboy	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Witte	Wood	Wright-Jones	Yaeger
Young	Mr Speaker			

NOES: 051

Avery	Bearden	Bivins	Bruns	Cooper 158
Corcoran	Cunningham 86	Deeken	Dempsey	Denison
Dixon	Ervin	Faith	Fisher	Franz
Funderburk	Grisamore	Guest	Harris 23	Icet
Jones 89	Kelly	Kraus	Lampe	Lembke
Liese	McGhee	Moore	Muschany	Nieves
Onder	Page	Portwood	Pratt	Salva
Sander	Scavuzzo	Schaaf	Schad	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Thomson	Wildberger	Wright 159
Yates				

PRESENT: 007

Brown 50	Darrough	Meadows	Roorda	Storch
Wilson 119	Zimmerman			

ABSENT WITH LEAVE: 008

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Sutherland	Wilson 130	Zweifel		

On motion of Representative Portwood, **House Amendment No. 46, as amended**, was adopted by the following vote:

AYES: 085

Avery	Bearden	Bivins	Bruns	Cooper 120
Cooper 158	Corcoran	Cox	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fisher	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Hobbs	Holsman
Hunter	Icet	Jones 117	Kelly	Komo
Kraus	Lampe	Lembke	Liese	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nieves	Norr	Onder	Page
Parson	Pearce	Portwood	Pratt	Richard
Roorda	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Talboy	Thomson	Tilley	Wasson	Weter
Wildberger	Wright 159	Yaeger	Yates	Zimmerman

NOES: 068

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 155	Daus	Denison	Dethrow
Dougherty	El-Amin	Fallert	Flook	George
Harris 110	Haywood	Hodges	Hoskins	Hubbard
Hughes	Jones 89	Kratky	Kuessner	LeVota
Lipke	Loehner	Low 39	Lowe 44	Marsh
Nance	Nasheed	Nolte	Oxford	Pollock
Quinn 7	Quinn 9	Robb	Robinson	Rucker
Sater	Schlottach	Schneider	Schoemehl	Shively
Skaggs	Spreng	Swinger	Threlkeld	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Whorton	Witte	Wood
Wright-Jones	Young	Mr Speaker		

PRESENT: 003

Darrough	Fares	Wilson 119
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ABSENT WITH LEAVE: 007

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Wilson 130	Zweifel			

Representative Wilson (119) offered **House Amendment No. 47.**

House Amendment No. 47

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 41.655, Page 4, Line 46, by inserting the following after all of said line:

"49.700. 1. The governing body of any county without a charter form of government may enact a noise ordinance or order that:

(1) Prohibits a person from creating noise above a specified decibel level that is disturbing to other persons in the surrounding area during certain specified times of the day; or

(2) Prohibits any owner, occupant, or other person or legal entity with the legal right to use or enjoy the property from allowing another person to create noise above a specified decibel level that is disturbing to other persons in the surrounding area during a certain specified time of the day.

2. No noise ordinance or order enacted under this section shall supercede the immunities granted to the owners of firearm ranges under section 537.294, RSMo.

3. No governing body of any county of the first, second, third, or fourth classification shall have the authority to enact any noise ordinance or order under this section governing any railroad company, telecommunications or wireless company, public utility, rural electric cooperative, or municipal utility.

4. No governing body of any county of the first, second, third, or fourth classification shall enact a noise ordinance or order under this section governing agricultural operations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (119), **House Amendment No. 47** was adopted.

Representative Cunningham (86) offered **House Amendment No. 48.**

House Amendment No. 48

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 67.1360, Page 36, Line 117, by inserting the following after all of said line:

"67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall [hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.] **submit the question of creating such a district to all qualified voters residing within the proposed district at a general or special election called for that purpose.**

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not for profit corporation and if it is to be a not for profit corporation, the name of the not for profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; and

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:

If owner is not an individual, state what type of entity:

Map and parcel number and assessed value of each tract of real property

.....
Signature of person signing for owner

.....
Date

Before me personally appeared, to me personally known to be the individual described in and who executed the foregoing instrument.

.....
Notary Public
My Commission Expires:

4. [After the close of the public hearing required pursuant to subsection 1 of this section,] the governing body of the municipality may adopt an ordinance [approving the petition and] establishing a district as set forth in the petition **when the question of creating such district has been approved by two-thirds of the qualified voters voting thereon.** [and] **The governing body also** may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area.

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

[67.1431. 1. Within a reasonable time, not to exceed forty-five days, after the receipt of the verified petition from the municipal clerk, the governing body shall hold or cause to be held a public hearing on the establishment of the proposed district and shall give notice of the public hearing in the manner provided in subsection 3 of this section. All reasonable protests, objections and endorsements shall be heard at the public hearing.

2. The public hearing may be continued to another date without further notice other than a motion to be entered on the minutes fixing the date, time and place of the continuance of the public hearing.

3. Notice of the public hearing shall be given by publication and mailing. Notice by publication shall be given by publication in a newspaper of general circulation within the municipality once a week for two consecutive weeks prior to the week of the public hearing. Notice by mail shall be given not less than fifteen days prior to the public hearing by sending the notice via registered or certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district. The published and mailed notices shall include the following:

- (1) The date, time and place of the public hearing;
- (2) A statement that a petition for the establishment of a district has been filed with the municipal clerk;
- (3) The boundaries of the proposed district by street location, or other readily identifiable means if no street location exists; and a map illustrating the proposed boundaries;
- (4) A statement that a copy of the petition is available for review at the office of the municipal clerk during regular business hours; and
- (5) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.]

67.1441. 1. Upon the written request of any real property owner within the district, the governing body of the municipality may hold a public hearing for the removal of real property from a district and such real property may be removed from such district by ordinance, provided that:

- (1) The board consents to the removal of such property;
- (2) The district can meet its obligations without the revenues generated by or on the real property proposed to be removed; and
- (3) The public hearing is conducted [in the same manner as required by section 67.1431] with notice of the hearing given in the same manner as required by **subsection 2 of this section**, [section 67.1431 and such] **which** notice shall include:
 - (a) The date, time and place of the public hearing;
 - (b) The name of the district;
 - (c) The boundaries by street location, or other readily identifiable means if no street location exists of the real property proposed to be removed from the district, and a map illustrating the boundaries of the existing district and the real property proposed to be removed; and
 - (d) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.

2. With the consent of the board, real property may be added to the district by ordinance upon receipt of a proper petition and after a public hearing is held by the governing body of the municipality on the addition of the real property [in the manner provided in section 67.1431]. Notice of the public hearing shall be given by publication and mailed to the owners of real property within the boundaries of the district and the area proposed to be added [in the manner provided in section 67.1431.] The notice shall include the following information:

- (1) The time, date and place of the public hearing;
- (2) The name of the proposed or established district;
- (3) The boundaries by street location, or other readily identifiable means if no street location exists, of the real property to be added to the district, and a map showing the boundaries of the existing district and the real property proposed to be added to the district;
- (4) A statement that a copy of the petition is available for review during regular business hours at the office of the municipal clerk; and
- (5) A statement that all interested persons shall be given an opportunity to be heard at the public hearing.

For the purposes of this section, a proper petition is one which meets the requirements of section 67.1421, which requirements shall only apply as to the real property proposed to be added.

3. A public hearing may be held to amend the petition and notice of such amendments given simultaneously with a public hearing to alter the district boundaries."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

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On motion of Representative Cunningham (86), **House Amendment No. 48** was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kelly
Kraus	Liese	Lipke	Loehner	Marsh
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	McClanahan	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Cunningham 145	Johnson	Kingery	Lembke
Low 39	Lowe 44	Meiners	Zweifel	

Representative Faith offered **House Amendment No. 49**.

House Amendment No. 49

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Section 537.035, Page 189, Line 88, by inserting the following after all of said line:

"644.123. Repayment of principal and interest on loans or assistance awarded from the wastewater loan fund shall be credited to the wastewater loan fund. Any administrative fees pursuant to section 644.106 shall be paid to the

director of revenue and deposited in the state treasury to the credit of an appropriate subaccount of the natural resources protection fund created in section 640.220, RSMo, and, subject to appropriation by the general assembly, shall be used by the department to carry out the general administration of programs and projects financed, in part, by assistance from the water pollution control fund or the wastewater loan fund. **Administrative fees charged under section 644.106 may be used by the department for eligible activities under the federal Safe Drinking Water Act, as amended, or the federal Clean Water Act, as amended.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 49** was adopted.

Representative Cox offered **House Amendment No. 50**.

House Amendment No. 50

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 2, Line 5, by inserting after "206.090,":

"**221.040**,"; and

Page 2, Line 23, inserting after "206.090,":

"**221.040**,"; and

Page 114, Section 206.090, by inserting after all of this section the following:

"221.040. 1. It shall be the duty of the sheriff and jailer to receive, from constables and other officers, all persons who shall be apprehended by such constable or other officers, for offenses against this state, or who shall be committed to such jail by any competent authority; and if any sheriff or jailer shall refuse to receive any such person or persons, he or she shall be adjudged guilty of a misdemeanor, and on conviction shall be fined in the discretion of the court.

2. The sheriff and jailer shall not be required to receive or detain a prisoner in custody under subsection 1 of this section until the arresting constable or other officer has had the prisoner examined by a physician or competent medical personnel if the prisoner appears to be:

- (1) Unconscious;
- (2) Suffering from a serious illness;
- (3) Suffering from a serious injury; or
- (4) Seriously impaired by alcohol, a controlled substance as defined in section 195.017, RSMo, a drug other than a controlled substance, or a combination of alcohol, a controlled substance, or drugs.

3. The cost of the examination and resulting treatment under subsection 2 of this section is the financial responsibility of the prisoner receiving the examination or treatment."; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 50** was adopted.

On motion of Representative Schneider, **HCS SS SCS SB 22, as amended**, was adopted.

1891 *Journal of the House*

On motion of Representative Schneider, **HCS SS SCS SB 22, as amended**, was read the third time and passed by the following vote:

AYES: 102

Avery	Bearden	Bivins	Bland	Brandom
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 86	Curls	Day	Deeken	Dempsey
Denison	Dixon	Dougherty	Dusenberg	Emery
Faith	Fallert	Fares	Fisher	Funderburk
Guest	Hobbs	Hoskins	Hughes	Hunter
Ice	Jones 89	Jones 117	Kelly	Kratky
Lampe	Lembke	Liese	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Page	Parson	Pearce	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Young	Mr Speaker			

NOES: 052

Aull	Baker 25	Baker 123	Bringer	Brown 50
Darrough	Daus	Davis	Dethrow	Donnelly
El-Amin	Ervin	Flook	Frame	Franz
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hubbard	Komo
Kraus	Kuessner	LeVota	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Norr	Oxford
Pollock	Quinn 9	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Spreng	Todd	Vogt
Walsh	Whorton	Witte	Wright-Jones	Yaeger
Yates	Zimmerman			

PRESENT: 002

Skaggs	Smith 14
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ABSENT WITH LEAVE: 007

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Salva	Zweifel			

Representative Cooper (120) declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 023

Bivins	Bruns	Cooper 158	Cox	Dempsey
Denison	Ervin	Fisher	Marsh	May

Nance	Nieves	Page	Schaaf	Self
Smith 150	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Weter	Wood		

NOES: 134

Aull	Avery	Baker 25	Baker 123	Bearden
Bland	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fallert	Fares	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kelly
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nasheed	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Spreng	Stevenson	St. Onge
Storch	Stream	Swinger	Talboy	Thomson
Todd	Villa	Vogt	Walsh	Walton
Wasson	Wells	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Cunningham 145	Johnson	Kingery	Meiners
Zweifel				

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCR 20**.

SENATE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 20

WHEREAS, in May 2005, the United States Congress enacted the REAL ID Act of 2005 as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act (PL 109-13), which was signed by President Bush on May 11, 2005, and which becomes effective May 11, 2008; and

WHEREAS, some of the requirements of the REAL ID Act are that states shall:

(1) Issue a driver's license or state identification card in a uniform format, containing uniform information, as prescribed by the federal Department of Homeland Security;

(2) Verify the issuance, validity, and completeness of all primary documents used to issue a driver's license, such as those showing that the bearer is a United States citizen or a lawful alien, a lawful refugee, or a person holding a valid visa;

(3) Provide for secure storage of all primary documents that are used to issue a federally approved driver's license or state identification card;

(4) Provide fraudulent document recognition training to all persons engaged in issuing driver's licenses or state identification cards; and

(5) Issue a driver's license or state identification card in a prescribed format if it is a license or card that does not meet the criteria provided for a federally approved license or identification card; and

WHEREAS, use of the federal minimum standards for state driver's licenses and state-issued identification cards will be necessary for any type of federally regulated activity for which an identification card must be displayed, including flying in a commercial airplane, making transactions with a federally licensed bank, entering a federal building, or making application for federally supported public assistance benefits, including Social Security; and

WHEREAS, some of the intended privacy requirements of the REAL ID Act, such as the use of common machine-readable technology and state maintenance of a database that can be shared with the United States government and agencies of other states, may actually make it more likely that a federally required driver's license or state identification card, or the information about the bearer on which the license or card is based, will be stolen, sold, or otherwise used for purposes that were never intended or that are criminally related than if the REAL ID Act had not been enacted; and

WHEREAS, these potential breaches in privacy that could result directly from compliance with the REAL ID Act may violate the right to privacy secured in the Missouri Constitution, for thousands of residents of Missouri; and

WHEREAS, the American Association of Motor Vehicle Administrators, the National Governors' Association, and the National Conference of State Legislatures have estimated, in an impact analysis dated September 2006, that the cost to the states to implement the REAL ID Act will be more than \$11 billion over 5 years, and it is estimated that the implementation of the REAL ID Act will cost Missouri millions to fully implement the Act, none of such costs being paid for by the federal government; and

WHEREAS, for all of these reasons, the American Association of Motor Vehicle Administrators, the National Governors' Association, and the National Conference of State Legislatures, in a letter dated March 17, 2005, to the majority and minority leaders of the United States Senate, opposed the adoption of the REAL ID Act, but the opposition of those groups, and the groups' request that Congress rely on driver's license security provisions already passed by Congress in the Intelligence Reform and Terrorism Prevention Act of 2004, was largely ignored by Congress; and

WHEREAS, the regulations that are to be adopted by the U.S. Department of Homeland Security to implement the requirements of the REAL ID Act have yet to be adopted and, in reality, will probably not become effective until the Spring of 2007, effectively giving the states only one year in which to become familiar with the implementing regulations and comply with those regulations and the requirements of the REAL ID Act; and

WHEREAS, the mandate to the states, through federal legislation that provides no funding for its requirements, to issue what is, in effect, a national identification card appears to be an attempt to "commandeer" the political machinery of the states and to require the states to be agents of the federal government, in violation of the principles of federalism contained in the Tenth Amendment to the United States Constitution, as interpreted by the United States Supreme Court in *New York v. United States*, 488 U.S. 1041 (1992), *United States v. Lopez*, 514 U.S. 549 (1995), and *Printz v. United States*, 521 U.S. 898 (1997);

WHEREAS, state legislatures in Georgia, Massachusetts, Montana, New Mexico, New Hampshire, and Washington, have, through legislation or resolutions, opposed the implementation of the REAL ID Act; and

WHEREAS, the Missouri General Assembly affirms its abhorrence of and opposition to global terrorism, and affirms its commitment to protecting the civil rights and civil liberties of all Missouri residents and opposes any measures, including the REAL ID Act, that unconstitutionally infringe upon those civil rights and civil liberties:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives, Ninety-Fourth General Assembly, First Regular Session, the Senate concurring therein, hereby calls on Congress to repeal the REAL ID Act; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution and be immediately transmitted to the Honorable George W. Bush, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives; and each member of Congress from the State of Missouri.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 54, as amended**, and has taken up and passed **HCS SCS SB 54, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SBs 62 & 41, as amended**, and has taken up and passed **CCS HCS SCS SBs 62 & 41**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the Conference Committee Report No. 2 on **HCS SCS SB 64, as amended**, and requests the House grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **HCS SCS SB 198** and has taken up and adopted **HCS SCS SB 198** and has taken up and passed **HCS SCS SB 198**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS#2 SB 406, as amended**, and has taken up and passed **CCS#2 HCS#2 SB 406**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 416**, and has taken up and passed **CCS HCS SB 416**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 577, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILL IN CONFERENCE

CCR HB 488, with Senate Amendment No. 1, relating to a credit for idle reduction technology, was taken up by Representative Wasson.

On motion of Representative Wasson, **CCR HB 488, as amended**, was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal

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Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 86	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 012

Curls	Davis	Donnelly	Frame	George
Harris 110	Hughes	Nasheed	Norr	Oxford
Whorton	Wildberger			

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Cunningham 145	Grill	Johnson	Kingery
Marsh	Meiners	Zweifel		

On motion of Representative Wasson, **CCS HB 488** was read the third time and passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 86	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Holsman	Hunter	Icet
Jones 89	Jones 117	Kelly	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	May

McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Walsh	Walton
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 013

Curls	Davis	Donnelly	Frame	George
Harris 110	Hughes	Low 39	Nasheed	Norr
Oxford	Whorton	Wildberger		

PRESENT: 000

ABSENT WITH LEAVE: 012

Bowman	Cunningham 145	El-Amin	Hoskins	Hubbard
Johnson	Kingery	Marsh	Meiners	Wallace
Wasson	Zweifel			

Representative Cooper (120) declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 159, relating to dam and reservoir safety, was taken up by Representative Bivins.

Representative Bivins moved that the House refuse to adopt **SCS HCS HB 159** and request the Senate to recede from its position and, failing to do so, grant the House a conference, allowing the conferees to exceed the differences so as to exclude the 2nd, 3rd and 4th class counties from the entire bill, and bind the conferees to thereon.

Which motion was adopted.

SS SCS HCS HB 780, as amended, relating to the Division of Professional Registration, was taken up by Representative Wasson.

Representative Wasson moved that the House refuse to adopt **SS SCS HCS HB 780, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 86, as amended, relating to a tax credit for children in crisis, was taken up by Representative Sutherland.

Representative Sutherland moved that the House refuse to recede from its position on **HCS SCS SB 86, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SCS SB 577, as amended, relating to the Missouri HealthNet Program, was taken up by Representative Schaaf.

Representative Schaaf moved that the House refuse to recede from its position on **HCS SS SCS SB 577, as amended**, and grant the Senate a conference.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bearden	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kraus
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Baker 25	Bowman	Brown 50	Corcoran
Cunningham 145	Dixon	Dougherty	Johnson	Kingery
Kratky	Lembke	Marsh	Meiners	Robinson
Salva	Schneider	Vogt	Zweifel	

Representative Schaaf again moved that the House refuse to recede from its position on **HCS SS SCS SB 577, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

SS SCS HB 255: Representatives Bruns, Cooper (158), Sater, Corcoran and Walsh

Representative Cooper (120) resumed the Chair.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SB 40 - Fiscal Review (Fiscal Note)
HCS#2 SCS SB 163 - Fiscal Review (Fiscal Note)
HCS SCS SB 368 - Fiscal Review (Fiscal Note)
HCS SS SCS SB 428 - Fiscal Review (Fiscal Note)
SCS SB 611 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCS SS SCS SB 3**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SS SCS SB 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILLS NOS. 62 & 41**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 62 & 41, with House Amendment No. 2 to House Amendment No. 1, House Amendment No. 1 as amended, and House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 62 & 41, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 62 & 41;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 62 & 41, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Carl Vogel
/s/ Scott Rupp
/s/ Jolie Justus
/s/ Frank Barnitz

FOR THE HOUSE:

/s/ Marilyn Ruestman
/s/ Stanley Cox
/s/ Brian Munzlinger
/s/ Rachel Bringer
/s/ Brad Robinson

The following member's presence was noted: Meiners.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:00 a.m., Tuesday, May 15, 2007.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Tuesday, May 15, 2007, Senate Lounge upon morning recess.
Conference Committee on HCS SS SCS SB 577, as amended,
will meet pending appointment of House Conferees.

CONFERENCE COMMITTEE NOTICE

Wednesday, May 16, 2007, 9:45 a.m. Senate Committee Room No. 2.
Conference Committee HCS SCS SB 156

FISCAL REVIEW

Tuesday, May 15, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Wednesday, May 16, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 17, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 18, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

HOUSE CALENDAR

SEVENTY-FIFTH DAY, TUESDAY, MAY 15, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden
- 5 HCS HJR 31 - Lembke

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore

- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821, HA 1, pending - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HCS HB 425 - Pearce
- 59 HCS HB 429 - Jones (117)
- 60 HCS HB 716 - Davis
- 61 HCS HB 95 - Sater
- 62 HB 479 - Darrough
- 63 HB 733 - Page
- 64 HCS HB 769 - Bruns
- 65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
- 66 HB 1155 - Wright-Jones
- 67 HCS HB 442 - Kingery
- 68 HB 727 - Portwood
- 69 HB 888 - Grisamore
- 70 HCS HB 923 - Kratky
- 71 HB 1251 - Komo
- 72 HCS HB 331 - Lipke
- 73 HCS#2 HB 735 - Cooper (158)
- 74 HCS HB 833 - Wasson
- 75 HB 1104 - Hughes
- 76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
- 77 HCS HB 886 - Schlottach
- 78 HCS HB 869 - Holsman
- 79 HB 1052 - Brown (50)
- 80 HCS HB 1272 - El-Amin
- 81 HCS HB 1023 - Quinn (7)
- 82 HCS HB 1108 - Pratt

- 83 HCS#2 HBs 406 & 726 - Cox
- 84 HCS HB 968 - Bivins
- 85 HB 1034 - Emery

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda
- 10 HCS HCR 5, (5-08-07, Pages 1618-1619) - Burnett

SENATE BILLS FOR THIRD READING

- 1 SCS SB 91 - St. Onge
- 2 HCS SCS SB 232 - Cooper (158)
- 3 HCS SCS SB 384, as amended, HSA 1 for HA 2, HA 2, pending, E.C. - Daus
- 4 HCS SCS SB 520 - Hunter
- 5 HCS SB 593 & SCS SB 594 - May
- 6 SB 648 - Kelly
- 7 HCS SS SCS SB 320 - Quinn (7)
- 8 SCS SB 418 - Weter
- 9 HCS SB 218 - Deeken
- 10 HCS SS SB 112 - Faith
- 11 SB 271 - Pearce
- 12 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 13 HCS SB 315 - Munzlinger
- 14 HCS SCS SB 52, (Fiscal Review 5-07-07) E.C. - St. Onge
(150 minutes debate on Third Reading)
- 15 SB 162 - Deeken
- 16 SB 171 - Wasson
- 17 HCS SCS SB 197 - Yates
- 18 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 19 SS SB 417 - Parson
- 20 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 21 HCS SCS SB 497 - Wilson (119)
- 22 SCS SB 525 - Wasson

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- 23 SCS SB 526 - Wasson
- 24 SCS SB 66 - Yates
- 25 HCS SS SCS SB 5, E.C. - Cox
- 26 HCS SS SCS SB 85, (Fiscal Review 5-10-07) - Dixon
- 27 SS SCS SB 215, HCA 1 - Yates
- 28 HCS SCS SB 299 & SS SCS SB 616 - Cooper (120)
- 29 HCS SB 323 - Baker (25)
- 30 HCS SB 325 - Yates
- 31 HCS SCS SB 328, (Fiscal Review 5-10-07) - Robb
- 32 HCS SS SCS SB 429, (Fiscal Review 5-10-07) - Stream
(90 minutes debate on Third Reading)
- 33 SB 481 - Pratt
- 34 SCS SB 482 - Bearden
- 35 HCS SB 582, (Fiscal Review 5-10-07) - Sutherland
(90 minutes date on Third Reading)
- 36 SB 671 - Pratt
- 37 HCS#2 SCS SB 313 - Sutherland
- 38 HCS SB 516, (Fiscal Review 5-11-07) - Pratt
- 39 HCS#2 SCS SB 333 - Cooper (155)
- 40 SS SCS SB 21, E.C. - Schlottach
- 41 HCS SS SB 40, (Fiscal Review 5-14-07) - Ervin
- 42 HCS SCS SBs 45 & 39 - Stevenson
- 43 HCS SCS SB 75 - Day
- 44 HCS#2 SCS SB 163, (Fiscal Review 5-14-07) - Pratt
- 45 HCS SCS SB 368, (Fiscal Review 5-14-07) - Pratt
- 46 HCS SS SCS SB 428, (Fiscal Review 5-14-07), E.C. - Quinn (7)
- 47 SB 605 - St. Onge
- 48 SCS SB 611, (Fiscal Review 5-14-07) - Pratt
- 49 HCS SS SB 654 - Kratky

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HB 744, as amended - St. Onge
- 2 SS HB 134 - Guest
- 3 SCS HCS HB 298 - Cooper (120)
- 4 SS HB 579, E.C. - Dempsey
- 5 SCS HCR 20 - Guest

BILLS CARRYING REQUEST MESSAGES

- 1 CCR#2 HCS SCS SB 64, as amended - Wallace
(Senate refuse to adopt CCR#2/request House grant further conference)
- 2 SCS HCS HB 159 - Bivins
(request Senate recede/grant conference/exceed differences/bind conferees)
- 3 SS SCS HCS HB 780, as amended - Wasson
(request Senate recede/grant conference)

BILLS IN CONFERENCE

- 1 CCR HCS SB 30, as amended, E.C. - Stevenson
- 2 CCR HCS SCS SB 308, as amended - Wasson
- 3 CCR HCS SB 81, as amended, E.C. - Schlottach
- 4 CCR HCS SB 25, as amended - Franz
- 5 HB 574, SA 1, SA 3, E.C. - St. Onge

- 6 SS HB 665, as amended - Ervin
- 7 CCR#2 HCS#2 SB 406, as amended - Wallace
- 8 HCS SCS SB 82, as amended - Tilley
- 9 HCS SB 84, as amended - Franz
- 10 CCR HCS SB 416 - Pratt
- 11 HCS SCS SB 156, as amended, E.C. - Quinn (7)
- 12 CCR HCS SCS SBs 62 & 41, as amended - Ruestman
- 13 SS SCS HB 255, as amended, E.C. - Bruns
- 14 HCS SCS SB 86, as amended, E.C. - Sutherland
- 15 HCS SS SCS SB 577, as amended, E.C. - Schaaf

HOUSE RESOLUTION

HR 1678, (4-12-07, Page 1076) - Jones (117)

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-FIFTH DAY, TUESDAY, MAY 15, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Rod Jetton, Speaker of the Missouri House of Representatives.

Lord, thank You for this day. Give us wisdom to make the right decisions this last week of Session.

Help us stay calm and peaceful as we address the problems of our state.

Lord, give us all a safe trip home and an enjoyable time with our families we have missed so much these last few months.

We ask all this in Your name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Meghan Hosmer, Cameron Hosmer, Lara Hosmer, Katie Fischer, John Fischer, Caroline Fischer, Neil Fischer, Eric Norfleet, Nick Eischens, Janae Hammond, Erin McKeon, Meranda Hoemann, Samuel Rusu, Ross Bohle, Jaimielee Buenemann, So Jeong Yoo and Yeon Ju Jang.

The Journal of the seventy-fourth day was approved as corrected.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 85** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 429** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 516** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 577, as amended**: Senators Shields, Purgason, Gibbons, Kennedy and Shoemyer.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SS SCS SB 577: Representatives Schaaf, Hunter, Sater, Page and Talboy

THIRD READING OF SENATE BILLS

SCS SB 91, relating to emergency vehicle dealers, was taken up by Representative St. Onge.

Representative Cooper (120) assumed the Chair.

On motion of Representative St. Onge, **SCS SB 91** was truly agreed to and finally passed by the following vote:

AYES: 140

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Young	Zimmerman	Mr Speaker

NOES: 005

Frame	Hughes	Lowe 44	Skaggs	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Bland	Bowman	Brown 50	Cunningham 145
Grisamore	Haywood	Kratky	Marsh	Page
Schaaf	Storch	Talboy	Vogt	Walton
Wright-Jones	Yates	Zweifel		

Representative Cooper (120) declared the bill passed.

HCS SCS SB 384, as amended, with House Substitute Amendment No. 1 for House Amendment No. 2 and House Amendment No. 2, pending, relating to stolen license plate tabs, was taken up by Representative Daus.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

House Amendment No. 2 was withdrawn.

On motion of Representative Daus, **HCS SCS SB 384, as amended**, was adopted.

On motion of Representative Daus, **HCS SCS SB 384, as amended**, was read the third time and passed by the following vote:

AYES: 152

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt

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Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Young
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bland	Bowman	Brown 50	Cunningham 145
Haywood	Marsh	Storch	Walton	Yates
Zweifel				

Representative Cooper (120) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 86	Curls	Darrough	Daus
Davis	Deeken	Dempsey	Denison	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman	Mr Speaker		

NOES: 003

Day	Dethrow	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bland	Bowman	Brown 50	Cox
Cunningham 145	Haywood	Marsh	Walton	Wilson 130
Yates	Zweifel			

HOUSE RESOLUTION

HR 1678, relating to House employees, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HR 1678** was adopted.

THIRD READING OF SENATE BILL

HCS SS SCS SB 429, relating to crime, was taken up by Representative Stream.

Representative Jetton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 174.712, Page 10, Line 5, by inserting immediately after said line the following:

"188.015. Unless the language or context clearly indicates a different meaning is intended, the following words or phrases for the purposes of sections 188.010 to 188.130 shall be given the meaning ascribed to them:

(1) "Abortion", the intentional destruction of the life of an embryo or fetus in his or her mother's womb or the intentional termination of the pregnancy of a mother with an intention other than to increase the probability of a live birth or to remove a dead or dying unborn child;

(2) "Abortion facility", a clinic, physician's office, or any other place or facility in which abortions are performed other than a hospital;

(3) "Conception", the fertilization of the ovum of a female by a sperm of a male;

(4) "Gestational age", length of pregnancy as measured from the first day of the woman's last menstrual period;

(5) "Partial-birth abortion", an abortion in which the person performing the abortion:

(a) **Deliberately and intentionally vaginally delivers a living fetus until, in the case of a head first presentation, the entire fetal head is outside the body of the mother, or in the case of breech presentation, any part of the fetal trunk past the navel is outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the partially delivered living fetus; and**

(b) **Performs the overt act, other than completion of delivery, that kills the partially delivered living fetus;**

(6) "Physician", any person licensed to practice medicine in this state by the state board of registration of the healing arts;

[(6)] (7) "Unborn child", the offspring of human beings from the moment of conception until birth and at every stage of its biological development, including the human conceptus, zygote, morula, blastocyst, embryo, and fetus;

[(7)] (8) "Viability", that stage of fetal development when the life of the unborn child may be continued indefinitely outside the womb by natural or artificial life-supportive systems."; and

188.021. 1. Any physician who knowingly performs a partial-birth abortion and thereby kills a human fetus shall be guilty of a class C felony.

2. Subsection 1 shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life endangering physical condition caused by or arising from the pregnancy itself.

3. The father, if married to the mother at the time she receives a partial-birth abortion procedure, and the maternal grandparents of the fetus, if the mother has not attained the age of eighteen years of age at the time

of the abortion, may have a civil cause of action against any person in violation of subsection 1 of this section to obtain appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion. Such appropriate relief shall include money damages for all psychological and physical injuries that occurred as a result of a violation of this section and statutory damages equal to three times the cost of the partial-birth abortion.

4. A defendant accused of a violation of subsection 1 of this section may seek a hearing before the state board of registration for the healing arts on whether the physician's conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, physical illness, or physical injury, including a life endangering physical condition caused by or arising from the pregnancy itself. The findings on said issue are admissible at the trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial for not more than thirty days to permit such a hearing to take place.

5. Any woman upon whom a partial-birth abortion is performed may not be prosecuted under this section or for a conspiracy to violate this section.

188.075. **Except as provided in section 188.021**, any person who contrary to the provisions of sections 188.010 to 188.085 knowingly performs or aids in the performance of any abortion or knowingly fails to perform any action required by sections 188.010 to 188.085 shall be guilty of a class A misdemeanor and, upon conviction, shall be punished as provided by law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Bearden assumed the Chair.

Representative Skaggs raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

Representative Onder offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 2, Section 188.021, Line 12, by deleting the letter "C" and substitute the letter "A".

On motion of Representative Onder, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Corcoran offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 2, Section 188.021, Line 12, by inserting after the word "felony" the following:

"In addition, any physician that performs abortion shall be required to receive a Certificate of Need from the Missouri Health Facilities Review Committee."

On motion of Representative Corcoran, **House Amendment No. 2 to House Amendment No. 1** was adopted.

On motion of Representative Jetton, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 146

Aull	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Mr Speaker				

NOES: 008

Chappelle-Nadal	Hughes	Low 39	Lowe 44	Nasheed
Oxford	Skaggs	Talboy		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 008

Avery	Bland	Bowman	Brown 50	Cunningham 145
Dougherty	Walton	Zweifel		

Representative Stream offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 43.050, Page 3, Line 26, by inserting immediately after said line the following:

"43.060. 1. Patrolmen and radio personnel shall not be less than twenty-one years of age. No person shall be appointed as superintendent or member of the patrol or as a member of the radio personnel who has been convicted of a felony or any crime involving moral turpitude, or against whom any indictment or information may then be pending charging the person with having committed a crime, nor shall any person be appointed who is not of good character or who is not a citizen of the United States and who at the time of appointment is not a citizen of the state of Missouri; or who [is not a graduate of an accredited four-year high school or in lieu thereof] **has not completed a high school program of education under chapter 167, RSMo, or who has not obtained a General Education Development (GED) certificate** [of equivalency from the state department of elementary and secondary education or other source recognized by that department], **and who has not obtained advanced education and experience as approved by the superintendent**, or who does not possess ordinary physical strength, and who is not able to pass the physical and mental examination that the superintendent prescribes.

2. Except as provided in subsections 3 and 4 of this section, no member of the patrol shall hold any other commission or office, elective or appointive, while a member of the patrol, except that the superintendent may authorize specified members to accept federal commissions providing investigative and arrest authority to enforce federal statutes while working with or at the direction of a federal law enforcement agency. No member of the patrol shall accept any other employment, compensation, reward, or gift other than regular salary and expenses as herein provided except with the written permission of the superintendent. No member of the patrol shall perform any police duty connected with the conduct of any election, nor shall any member of the patrol at any time or in any manner electioneer for or against any party ticket, or any candidate for nomination or election to office on any party ticket, nor for or against any proposition of any kind or nature to be voted upon at any election.

3. Members of the patrol shall be permitted to be candidates for and members or directors of the school board in any school district where they meet the requirements for that position as set forth in chapter 162, RSMo. Members of the patrol who become school board directors or members within the state shall be permitted to receive benefits or compensation for their service to the school board as provided by chapter 162, RSMo.

4. The superintendent may, by general order, set forth the circumstances under which members of the patrol may, in addition to their duties as members of the patrol, be engaged in secondary employment."; and

Further amend said substitute, Section 589.683, Page 104, Line 10, by inserting immediately after said line the following:

"590.030. 1. The POST commission shall establish minimum standards for the basic training of peace officers. Such standards may vary for each class of license established pursuant to subsection 2 of section 590.020.

2. The director shall establish minimum age, citizenship, and general education requirements and may require a qualifying score on a certification examination as conditions of eligibility for a peace officer license. **Such general education requirements shall require completion of a high school program of education under chapter 167, RSMo, or obtainment of a general education development (GED) certificate.**

3. The director shall provide for the licensure, with or without additional basic training, of peace officers possessing credentials by other states or jurisdictions, including federal and military law enforcement officers.

4. The director shall establish a procedure for obtaining a peace officer license and shall issue the proper license when the requirements of this chapter have been met.

5. As conditions of licensure, all licensed peace officers shall:

(1) Obtain continuing law enforcement education pursuant to rules to be promulgated by the POST commission; and

(2) Maintain a current address of record on file with the director.

6. A peace officer license shall automatically expire if the licensee fails to hold a commission as a peace officer for a period of five consecutive years, provided that the POST commission shall provide for the relicensure of such persons and may require retraining as a condition of eligibility for relicensure, and provided that the director may provide for the continuing licensure, subject to restrictions, of persons who hold and exercise a law enforcement commission requiring a peace officer license but not meeting the definition of a peace officer pursuant to this chapter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 2** was adopted.

Representative Stream offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 595.031, Page 108, Line 12, by inserting immediately after said line the following:

"595.036. 1. **Any party aggrieved by a decision of the department on a claim under the provisions of sections 595.010 to 595.070 may, within thirty days following the date of notification of mailing of such decision, file a petition with the division of workers' compensation of the department of labor and industrial relations to have such decision heard de novo by an administrative law judge. The administrative law judge may affirm, reverse, or set aside the decision of the department of public safety on the basis of the evidence previously submitted in such case or may take additional evidence or may remand the matter to the department of public safety with directions. The division of workers' compensation shall promptly notify the parties of its decision and the reasons therefor.**

2. Any of the parties to a decision of **an administrative law judge** of the division of workers' compensation, **as provided by subsection 1 of this section**, on a claim heard under the provisions of sections 595.010 to 595.070 may, within thirty days following the date of notification or mailing of such decision, file a petition with the labor and industrial relations commission to have such decision reviewed by the commission. The commission may allow or deny a petition for review. If a petition is allowed, the commission may affirm, reverse, or set aside the decision of the division of workers' compensation on the basis of the evidence previously submitted in such case or may take additional evidence or may remand the matter to the division of workers' compensation with directions. The commission shall promptly notify the parties of its decision and the reasons therefor.

[2.] **3.** Any petition for review filed pursuant to subsection 1 of this section shall be deemed to be filed as of the date endorsed by the United States Postal Service on the envelope or container in which such petition is received.

[3.] **4.** Any party who is aggrieved by a final decision of the labor and industrial relations commission pursuant to the provisions of subsections [1 and] 2 **and 3** of this section [may seek judicial review thereof, as provided in sections 536.100 to 536.140, RSMo] **shall within thirty days from the date of the final decision, appeal the decision to the court of appeals. Such appeal may be taken by filing notice of appeal with the commission, whereupon the commission shall, under its certificate, return to the court all documents and papers on file in the matter, together with a transcript of the evidence, the findings and award, which shall thereupon become the record of the cause. Upon appeal no additional evidence shall be heard and, in the absence of fraud, the findings of fact made by the commission within its powers shall be conclusive and binding. The court, on appeal, shall review only questions of law and may modify, reverse, remand for rehearing, or set aside the award upon any of the following grounds and no other:**

(1) **That the commission acted without or in excess of its powers;**
(2) **That the award was procured by fraud;**
(3) **That the facts found by the commission do not support the award;**
(4) **That there was not sufficient competent evidence in the record to warrant the making of the award."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 3** was adopted.

Representative Tilley offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Line 10 of the Title, by inserting after "RSMo," the following:

"and Section 1 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 2, Section A, Line 9, by inserting after "RSMo," the following:

"and Section 1 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 118, Section 650.470, Line 50, by inserting after said line the following:

"[Section 1. No person, firm, limited liability company, or corporation shall purchase more than twenty tickets at one time, except that any ticket issuer may allow the purchaser of any amount of tickets through a group sales office.];" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Tilley, **House Amendment No. 4** was adopted.

Representative Tilley offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 118, Section 650.470, Line 50, by inserting after all of said section, the following:

"Section 1. Nothing in this section or in any law or ordinance of any city, county, or other political subdivision shall prohibit or be deemed to prohibit a person, firm, limited liability company, or corporation from reselling or offering to resell via the Internet an admission ticket, at any price, or charging any fee in connection with the resale or offering of an admission ticket to any athletic contest, dance, theater, concert, circus, or other amusement, if such Internet web site's operator guarantees a full refund or future credit of the amount paid for the ticket under each of the following conditions:

- (a) The ticketed event is cancelled;**
- (b) The purchaser is denied admission to the ticketed event, using the purchased ticket, unless such denial is due to the action or omission of the purchaser.**
- (2) The Internet web site's guarantee under this subsection shall be clearly posted and all prospective purchasers shall be directed to such guaranty before completion of the resale transaction.**
- (3) A refund issued under any of the conditions provided in this subsection shall include any service, handling, or processing fees unless such fees are declared nonrefundable under the terms of the guarantee.**
- (4) The provisions of this subsection do not apply to student or other discounted tickets issued by institutions of higher education or any other state or federal not-for-profit institutions.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 5** is out of order pursuant to Rule 84.

The Chair ruled the point of order not well taken.

Representative Talboy offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 118, Section 650.410, Line 3, by inserting immediately after said line the following:

"578.395. 1. Any person, firm, **limited liability company**, or corporation who resells or offers to resell any ticket for admission, or any other evidence of the right of entry, to any public sporting event for a price in excess of the price printed on the ticket is guilty of the offense of ticket scalping. For purposes of this section, if a seller requires, as a precondition of the resale of a ticket, the purchase or rental of other goods or services at a price in excess of the fair market value of such goods or services, the excess amount shall be deemed to be part of the purchase price of the ticket.

2. Nothing in this section shall prohibit nor shall be deemed to prohibit a seller[, with consent of the sponsor of such sporting event,] from collecting a reasonable service charge from a ticket purchaser in return for services actually rendered.

3. Any person violating this section [upon conviction shall be] is guilty of a misdemeanor and, except as provided in subsection 4 of this section, shall be punished as follows:

(1) For the first offense, by a fine of not less than fifty dollars nor more than three hundred dollars or by imprisonment in the county jail for a term of not less than fifteen days;

(2) For the second offense, by a fine of not less than three hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for a term of not less than sixty days nor more than six months;

(3) For the third and each subsequent offense, by a fine of not less than five hundred dollars nor more than one thousand dollars or imprisonment in the county jail for a term of not less than six months nor more than one year.

4. In lieu of any fine imposed under subsection 3 of this section, the court may invoke the provisions of subsection 2 of section 560.016, RSMo, against any person convicted of a second or subsequent offense of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Talboy moved that **House Amendment No. 1 to House Amendment No. 5** be adopted.

Which motion was defeated.

On motion of Representative Tilley, **House Amendment No. 5** was adopted.

Representative Cooper (120) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 39, Section 195.017, Line 648, by inserting after all of said line the following:

"**195.217. 1. A person commits the offense of distribution of a controlled substance near a park, as defined in section 253.010, RSMo, if such person violates section 195.211 by unlawfully distributing or delivering heroin, cocaine, LSD, amphetamine, or methamphetamine to a person in or on, or within one thousand feet of, the real property comprising a public park, state park, county park, or municipal park or a public or private park designed for public recreational purposes.**

2. Distribution of a controlled substance near a park is a class A felony."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 6** was adopted.

Representative Lipke offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 455.003, Page 67, Line 16, by inserting immediately after said line the following:

"479.260. 1. Municipalities by ordinance may provide for fees in an amount per case to be set pursuant to sections 488.010 to 488.020, RSMo, for each municipal ordinance violation case filed before a municipal judge, and in the event a defendant pleads guilty or is found guilty, the judge may assess costs against the defendant except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs. **In the event the case is dismissed before the defendant pleads guilty or is found guilty, the municipal judge may assess municipal court costs as determined by section 488.012, RSMo, against the defendant if the defendant consents to paying the costs except in those cases where the defendant is found by the judge to be unable to pay the costs.** The fees authorized in this subsection are in addition to service charges, witness fees and jail costs that may otherwise be authorized to be assessed, but are in lieu of other court costs. The fees provided by this subsection shall be collected by the municipal division clerk in municipalities electing or required to have violations of municipal ordinances tried before a municipal judge pursuant to section 479.020, or to employ judicial personnel pursuant to section 479.060, and disbursed as provided in subsection 1 of section 479.080. Any other court costs required in connection with such cases shall be collected and disbursed as provided in sections 488.010 to 488.020, RSMo; provided that, each municipal court may establish a judicial education fund in an account under the control of the municipal court to retain one dollar of the fees collected on each case and to use the fund only to pay for:

- (1) The continuing education and certification required of the municipal judges by law or supreme court rule; and
- (2) Judicial education and training for the court administrator and clerks of the municipal court.

Provided further, that no municipal court shall retain more than one thousand five hundred dollars in the fund for each judge, administrator or clerk of the municipal court. Any excess funds shall be transmitted quarterly to the general revenue fund of the county or municipal treasury.

2. In municipal ordinance violation cases which are filed in the associate circuit division of the circuit court, fees shall be assessed in each case in an amount to be set pursuant to sections 488.010 to 488.020, RSMo. In the event a defendant pleads guilty or is found guilty, the judge shall assess costs against the defendant except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs. In the event a defendant is acquitted or the case is dismissed, the judge shall not assess costs against the municipality. The costs authorized in this subsection are in addition to service charges, witness fees and jail costs that may otherwise be authorized to be assessed, but are in lieu of other court costs. The costs provided by this subsection shall be collected by the municipal division clerk in municipalities electing or required to have violations of municipal ordinances tried before a municipal judge pursuant to section 479.020, or to employ judicial personnel pursuant to section 479.060, and disbursed as provided in subsection 2 of section 479.080. Any other court costs required in connection with such cases shall be collected and disbursed as provided in sections 488.010 to 488.020, RSMo.

3. A municipality, when filing cases before an associate circuit judge, shall not be required to pay fees.

4. No fees for a judge, city attorney or prosecutor shall be assessed as costs in a municipal ordinance violation case.

5. In municipal ordinance violation cases, when there is an application for a trial de novo, there shall be an additional fee in an amount to be set pursuant to sections 488.010 to 488.020, RSMo, which shall be assessed in the same manner as provided in subsection 2 of this section.

6. Municipalities by ordinance may provide for a schedule of costs to be paid in connection with pleas of guilty which are processed in a traffic violations bureau. If a municipality files its municipal ordinance violation cases before a municipal judge, such costs shall not exceed the court costs authorized by subsection 1 of this section. If a municipality files its municipal ordinance violations cases in the associate circuit division of the circuit court, such costs shall not exceed the court costs authorized by subsection 2 of this section."; and

Further amend said substitute, Section 488.5025, Page 68, Line 18, by inserting immediately after said line the following:

"488.5032. In the event a criminal case is dismissed in a circuit court in this state before the defendant pleads guilty or is found guilty, the circuit judge may assess costs as determined by section 488.012, RSMo, against any defendant if the defendant consents to paying the costs except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 7** was adopted.

Representative Jones (117) offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 595.209, Pages 108 through 112, by inserting after all of said section the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

- (10) Software codes for electronic data processing and documentation thereof;
- (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
- (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
- (13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;
- (14) Records which are protected from disclosure by law;
- (15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;
- (16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;
- (17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;
- (18) Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, 2008;
- (19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:
 - (a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;
 - (b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;
 - (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;
 - (d) This exception shall sunset on December 31, 2008;
- (20) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open; [and]
- (21) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; **and**

(22) Records and documents of and pertaining to internal investigations by a law enforcement agency into matters of fitness and conduct of a law enforcement officer employed by such investigating law enforcement agency used solely in connection with matters relating to the employment of such law enforcement officer, and records and documents pertaining to any determinations or actions relating to an officer's employment status taken in connection with or following such investigations. However, if such records and documents are used or shared by an agency in a criminal investigation involving an officer, provisions regarding incident reports, investigative reports or other documents covered under section 610.100 shall apply.

610.100. 1. As used in sections 610.100 to 610.150, the following words and phrases shall mean:

(1) "Arrest", an actual restraint of the person of the defendant, or by his or her submission to the custody of the officer, under authority of a warrant or otherwise for a criminal violation which results in the issuance of a summons or the person being booked;

(2) "Arrest report", a record of a law enforcement agency of an arrest and of any detention or confinement incident thereto together with the charge therefor;

(3) "Inactive", an investigation in which no further action will be taken by a law enforcement agency or officer for any of the following reasons:

(a) A decision by the law enforcement agency not to pursue the case;

(b) Expiration of the time to file criminal charges pursuant to the applicable statute of limitations, or ten years after the commission of the offense; whichever date earliest occurs;

(c) Finality of the convictions of all persons convicted on the basis of the information contained in the investigative report, by exhaustion of or expiration of all rights of appeal of such persons;

(4) "Incident report", a record of a law enforcement agency consisting of the date, time, specific location, name of the victim and immediate facts and circumstances surrounding the initial report of a crime or incident, including any logs of reported crimes, accidents and complaints maintained by that agency;

(5) "Investigative report", a record, other than an arrest or incident report, prepared by personnel of a law enforcement agency, inquiring into a crime or suspected crime, either in response to an incident report or in response to evidence developed by law enforcement officers in the course of their duties;

(6) Investigative reports and incident reports, or other law enforcement records covered under this section, shall not include any records or documents pertaining to internal investigations by law enforcement agencies into matters of fitness and conduct of law enforcement officers employed by such investigating law enforcement agencies and used solely in connection with such officers' employment, as described in subdivision (22) of section 610.021. However, if such records and documents are used or shared by an agency in a criminal investigation involving an officer, provisions regarding incident reports, investigative reports, or other documents covered under this section shall apply.

2. Each law enforcement agency of this state, of any county, and of any municipality shall maintain records of all incidents reported to the agency, investigations and arrests made by such law enforcement agency. All incident reports and arrest reports shall be open records. Notwithstanding any other provision of law other than the provisions of subsections 4, 5 and 6 of this section or section 320.083, RSMo, investigative reports of all law enforcement agencies are closed records until the investigation becomes inactive. If any person is arrested and not charged with an offense against the law within thirty days of the person's arrest, the arrest report shall thereafter be a closed record except that the disposition portion of the record may be accessed and except as provided in section 610.120.

3. Except as provided in subsections 4, 5, 6 and 7 of this section, if any portion of a record or document of a law enforcement officer or agency, other than an arrest report, which would otherwise be open, contains information that is reasonably likely to pose a clear and present danger to the safety of any victim, witness, undercover officer, or other person; or jeopardize a criminal investigation, including records which would disclose the identity of a source wishing to remain confidential or a suspect not in custody; or which would disclose techniques, procedures or guidelines for law enforcement investigations or prosecutions, that portion of the record shall be closed and shall be redacted from any record made available pursuant to this chapter.

4. Any person, including a family member of such person within the first degree of consanguinity if such person is deceased or incompetent, attorney for a person, or insurer of a person involved in any incident or whose property is involved in an incident, may obtain any records closed pursuant to this section or section 610.150 for purposes of investigation of any civil claim or defense, as provided by this subsection. Any individual, his or her family member within the first degree of consanguinity if such individual is deceased or incompetent, his or her attorney or insurer, involved in an incident or whose property is involved in an incident, upon written request, may obtain a complete

unaltered and unedited incident report concerning the incident, and may obtain access to other records closed by a law enforcement agency pursuant to this section. Within thirty days of such request, the agency shall provide the requested material or file a motion pursuant to this subsection with the circuit court having jurisdiction over the law enforcement agency stating that the safety of the victim, witness or other individual cannot be reasonably ensured, or that a criminal investigation is likely to be jeopardized. If, based on such motion, the court finds for the law enforcement agency, the court shall either order the record closed or order such portion of the record that should be closed to be redacted from any record made available pursuant to this subsection.

5. Any person may bring an action pursuant to this section in the circuit court having jurisdiction to authorize disclosure of the information contained in an investigative report of any law enforcement agency, which would otherwise be closed pursuant to this section. The court may order that all or part of the information contained in an investigative report be released to the person bringing the action. In making the determination as to whether information contained in an investigative report shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the law enforcement agency or any of its officers, or to any person identified in the investigative report in regard to the need for law enforcement agencies to effectively investigate and prosecute criminal activity. The investigative report in question may be examined by the court in camera. The court may find that the party seeking disclosure of the investigative report shall bear the reasonable and necessary costs and attorneys' fees of both parties, unless the court finds that the decision of the law enforcement agency not to open the investigative report was substantially unjustified under all relevant circumstances, and in that event, the court may assess such reasonable and necessary costs and attorneys' fees to the law enforcement agency.

6. Any person may apply pursuant to this subsection to the circuit court having jurisdiction for an order requiring a law enforcement agency to open incident reports and arrest reports being unlawfully closed pursuant to this section. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has knowingly violated this section, the officer or agency shall be subject to a civil penalty in an amount up to one thousand dollars. If the court finds that there is a knowing violation of this section, the court may order payment by such officer or agency of all costs and attorneys' fees, as provided by section 610.027. If the court finds by a preponderance of the evidence that the law enforcement officer or agency has purposely violated this section, the officer or agency shall be subject to a civil penalty in an amount up to five thousand dollars and the court shall order payment by such officer or agency of all costs and attorney fees, as provided in section 610.027. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the law enforcement officer or agency has violated this section previously.

7. The victim of an offense as provided in chapter 566, RSMo, may request that his or her identity be kept confidential until a charge relating to such incident is filed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 8** was adopted.

Representative Roorda offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 650.470, Page 118, Line 50, by inserting immediately after said line the following:

"Section 1. The University of Missouri Geographic Resources Center shall identify, by using geographic information system technology, any sexual offender who is in violation of section 566.147 and shall publish an annual study that includes such information. Such annual study shall be provided to the state highway patrol for distribution to all law enforcement agencies in this state."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 9** was adopted by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Cooper 120	Cooper 158	Corcoran
Cox	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hunter	Icet	Jones 89
Jones 117	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 016

Burnett	Chappelle-Nadal	Cooper 155	Daus	El-Amin
Hoskins	Hubbard	Hughes	Johnson	Low 39
Lowe 44	Nasheed	Oxford	Talboy	Whorton
Wright-Jones				

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bowman	Cunningham 145	Dougherty	Flook
Kelly	Schneider	Viebrock		

Representative Harris (23) offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 566.226, Page 81, Line 10, by inserting immediately after said line the following:

"568.045. 1. A person commits the crime of endangering the welfare of a child in the first degree if:

(1) The person knowingly acts in a manner that creates a substantial risk to the life, body, or health of a child less than seventeen years old; or

(2) The person knowingly engages in sexual conduct with a person under the age of seventeen years over whom the person is a parent, guardian, or otherwise charged with the care and custody;

(3) The person knowingly encourages, aids or causes a child less than seventeen years of age to engage in any conduct which violates the provisions of chapter 195, RSMo;

(4) Such person enlists the aid, either through payment or coercion, of a person less than seventeen years of age to unlawfully manufacture, compound, produce, prepare, sell, transport, test or analyze amphetamine or methamphetamine or any of their analogues, or to obtain any material used to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues; or

(5) Such person, in the presence of a person less than seventeen years of age or in a residence where a person less than seventeen years of age resides, unlawfully manufactures, or attempts to manufacture compounds, produces, prepares, sells, transports, tests or analyzes amphetamine or methamphetamine or any of their analogues.

2. **Except as provided in subsection 3 of this section** endangering the welfare of a child in the first degree is a class C felony unless the offense is committed as part of a ritual or ceremony, or except on a second or subsequent offense, in which case the crime is a class B felony.

3. **Endangering the welfare of a child in the first degree when committed under subdivision (1) of subsection 1 of this section, and when the manner in which such person acts to create a substantial risk to the life, body, or health of a child is by shaking a child under the age of five by the arms, legs, chest, or shoulders, is a felony for which the authorized term of imprisonment is any term of years but not less than fifteen years."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Harris (23), **House Amendment No. 10** was adopted.

Representative Page offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 84.160, Page 9, Line 71, by inserting immediately after said line the following:

"172.755. The University of Missouri shall perform a check of the state sex offender registry for each applicant for student housing to determine whether the applicant has been adjudicated a sex offender, as defined in section 589.400, RSMo. The university shall require that each application for student housing be accompanied by the identifying information necessary to perform the check and a supplemental fee to cover the cost of performing the check. The university shall not grant student housing to any person required to be registered as a sex offender under sections 589.400 to 589.425, RSMo.

174.459. Each state college or university governed by this chapter shall perform a check of the state sex offender registry for each applicant for student housing to determine whether the applicant has been adjudicated a sex offender, as defined in section 589.400, RSMo. The college or university shall require that each application for student housing be accompanied by the identifying information necessary to perform the check and a supplemental fee to cover the cost of performing the check. The college or university shall not grant student housing to any person required to be registered as a sex offender under sections 589.400 to 589.425, RSMo."; and

Further amend said substitute, Section 174.712, Page 10, Line 5, by inserting immediately after said line the following:

"175.075. Lincoln University shall perform a check of the state sex offender registry for each applicant for student housing to determine whether the applicant has been adjudicated a sex offender, as defined in section 589.400, RSMo. The university shall require that each application for student housing be accompanied by the identifying information necessary to perform the check and a supplemental fee to cover the cost of performing

the check. The university shall not grant student housing to any person required to be registered as a sex offender under sections 589.400 to 589.425, RSMo.

178.645. Linn State Technical College shall perform a check of the state sex offender registry for each applicant for student housing to determine whether the applicant has been adjudicated a sex offender, as defined in section 589.400, RSMo. The college shall require that each application for student housing be accompanied by the identifying information necessary to perform the check and a supplemental fee to cover the cost of performing the check. The college shall not grant student housing to any person required to be registered as a sex offender under sections 589.400 to 589.425, RSMo.

178.965. Each community college or junior college governed by this chapter shall perform a check of the state sex offender registry for each applicant for student housing to determine whether the applicant has been adjudicated a sex offender, as defined in section 589.400, RSMo. The college shall require that each application for student housing be accompanied by the identifying information necessary to perform the check and a supplemental fee to cover the cost of performing the check. The college shall not grant student housing to any person required to be registered as a sex offender under sections 589.400 to 589.425, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 11** was adopted.

Representative Zimmerman offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 311.326, Page 64, Line 17, by inserting immediately after said line the following:

"407.485. 1. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items for profit unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: **"DONATIONS ARE NOT FOR CHARITABLE ORGANIZATIONS AND WILL BE RESOLD FOR PROFIT"**.

2. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items where some or all of the proceeds from the sale are directly given to a not for profit entity unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: **"DONATIONS TO THE FOR PROFIT COMPANY: (name of the company) ARE SOLD FOR PROFIT AND (% of proceeds donated to the not for profit) % OF ALL PROCEEDS ARE DONATED TO (name of the non-profit beneficiary organization's name)."**

3. It shall be an unfair business practice, in violation of section 407.020 for a for profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items, where such for profit entity is paid a flat fee, not contingent upon the proceeds generated by the sale of the collected goods, and 100% of the proceeds from the sale of the items are given directly to the not for profit, unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: **"THIS DONATION RECEPTACLE IS OPERATED BY THE FOR PROFIT ENTITY: (name of the for profit/individual) ON BEHALF of (name of the non-profit beneficiary organization's name)."**

4. Nothing in section 407.485 shall apply to paper, glass, or aluminum products that are donated for the purpose of being recycled in the manufacture of other products.

5. Any entity which, on or before June 1, 2007, has distributed one hundred or more separate public receptacles within the state of Missouri to which the provisions of subsections or 3 of this section would apply, shall be deemed in compliance with the signage requirements imposed by this section until February 28, 2008, provided such entity has made or is making good faith efforts to bring all signage in compliance with the provisions of this section and all such signage is in complete compliance no later than February 28, 2008."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zimmerman, **House Amendment No. 12** was adopted.

Representative Storch offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 210.1012, Page 48, Line 27, by inserting immediately after said line the following:

"217.145. The department of corrections shall establish and maintain on the department's Internet web site a listing of all victims' rights under chapter 595, RSMo, which involve the department."; and

Further amend said substitute, Section 595.209, Page 109, Lines 36-50, by deleting all of said lines and inserting in lieu thereof the following:

"(6) For victims, the right to be informed by appropriate juvenile authorities of probation revocation hearings initiated by the juvenile authority and the right to be heard at such hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of a personal appearance, the right to be informed by the board of probation and parole of probation revocation hearings initiated by the board and of parole hearings, the right to be present at each and every phase of parole hearings [and] , the right to be heard at probation revocation and parole hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of a personal appearance, the right to have upon written request of the victim, a partition set up in the probation or parole hearing room, set up in such a way that the victim is shielded from the view of the probationer or parolee, the right to be notified of the hearing, and the right to be notified, in writing, of each of these rights at the time of notice for probation revocation hearings and parole revocation hearings, and the right to be informed by the custodial mental health facility or agency thereof of any hearings for the release of a person committed pursuant to the provisions of chapter 552, RSMo, the right to be present at such hearings, the right to be heard at such hearings or to offer a written statement, video or audio tape, counsel or a representative designated by the victim in lieu of personal appearance. If a victim's request to have a partition set up in the hearing room cannot be accommodated at the time of the scheduled hearing, the hearing shall be delayed for not more than thirty days until such time as a partition is set up for the hearing;"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Storch, **House Amendment No. 13** was adopted.

Representative Aull offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section A, Pages 1 and 2, Line 22, by inserting after all of said section and line the following:

"41.970. 1. As used in this section the following terms shall mean:

(1) "Civil air patrol", the civilian auxiliary of the United States Air Force established by the United States Congress in 36 U.S.C. Section 40301 et seq. and 10 U.S.C. Section 9441 et seq. Civil air patrol missions include search and rescue, disaster relief, and aerial reconnaissance;

(2) "Office of air search and rescue", as established by section 41.960, within military division of the executive department, office of adjutant general, the wing commander of Missouri wing, civil air patrol; Missouri wing emergency service personnel; and others as necessary for duties assigned to the office.

2. The civil air patrol may be used to support national guard missions in support of civil authorities or in support of noncombatant national guard missions, and to support state agencies under memorandums of understanding (MOU) or agreements established between the agencies and the civil air patrol.

3. Requests for activation or support of the civil air patrol shall be made to the commander of the Missouri wing of the civil air patrol. Missions shall be in accordance with laws and regulations applicable to the United States Air Force and the civil air patrol. Prior to activation of the civil air patrol, the adjutant general or the Missouri civil air patrol wing commander shall apply to the Air Force Rescue Coordination Center, the Air Force National Security Emergency Preparedness agency, or the civil air patrol national operations center for federal mission status and funding.

4. If an operation or mission of the civil air patrol is granted funded federal mission status and assigned an accompanying federal mission number, the following shall apply:

- (1) The operation or mission shall be funded by the federal government;
- (2) When training or operating under a federal mission number, the members of the civil air patrol shall be considered federal employees for the purposes of tort claims and workers' compensation arising from the performance of the mission or any actions incident to the performance of the mission.

5. If an operation or mission of the civil air patrol is not granted federal mission status and is not assigned an accompanying federal mission number, the following shall apply:

(1) Except for missions and operations supporting the office of adjutant general, all requests for activation and authorization for any mission or operation of the civil air patrol on behalf of state agencies shall first be approved by the department director of the requesting agency, the adjutant general and the commissioner of administration;

(2) Operations and administration of the civil air patrol relating to missions within the state and for state agencies not qualifying for funded federal mission status shall be funded by the state from moneys appropriated to the requesting state agency for that purpose;

(3) When performing a mission within the state and for state agencies that does not qualify for funded federal mission status, members of the civil air patrol shall be considered state employees for purposes of the state legal expense fund as provided under section 105.711, RSMo, and for purposes of workers' compensation coverage, as provided under section 105.810, RSMo;

(4) The procedures in this section apply to any civil air patrol personnel and aircraft from any state that are flying or otherwise supporting missions for Missouri state agencies;

(5) Notwithstanding the provisions of this section to the contrary, emergency operations or missions as determined by the commander of the Missouri wing of the civil air patrol and approved by the adjutant general may be conducted pending funding authorization for federal, state, or other sources."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Aull, **House Amendment No. 14** was adopted.

Representative Fallert offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 565.182, Page 80, Line 9, by inserting immediately after said line the following:

"566.147. 1. Any person who, since July 1, 1979, has been or hereafter has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of violating any of the provisions of this chapter or the provisions of subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023, RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting child pornography in the first degree; section 573.035, RSMo, promoting child pornography in the second degree; section 573.037, RSMo, possession of child pornography, or section 573.040, RSMo, furnishing pornographic material to minors, or any offense committed in another state, or any federal offense, or any military offense which, if committed in this state, would be a violation of any offense listed in this subsection; shall not reside

within one thousand feet of any public school as defined in section 160.011, RSMo, or any private school giving instruction in a grade or grades not higher than the twelfth grade, or child-care facility as defined in section 210.201, RSMo, which is in existence at the time the individual begins to reside at the location.

2. If such person has already established a residence and a public school, a private school, or child-care facility is subsequently built or placed within one thousand feet of such person's residence, then such person shall, within one week of the opening of such public school, private school, or child-care facility, notify the county sheriff where such public school, private school, or child-care facility is located that he or she is now residing within one thousand feet of such public school, private school, or child-care facility and shall provide verifiable proof to the sheriff that he or she resided there prior to the opening of such public school, private school, or child-care facility.

3. For purposes of this section, "resides" means sleeps in a residence, which may include more than one location and may be mobile or transitory.

4. Violation of the provisions of subsection 1 of this section is a class D felony except that the second or any subsequent violation is a class B felony. Violation of the provisions of subsection 2 of this section is a class A misdemeanor except that the second or subsequent violation is a class D felony."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fallert, **House Amendment No. 15** was adopted.

Representative Bringer offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 195.017, Page 39, Line 648, by inserting the following after all of said line:

"22. Logs of transactions required to be kept and maintained by this section and section 195.417, shall create a rebuttable presumption that the person whose name appears in the logs is the person whose transactions are recorded in the logs."; and

Further amend said substitute, Section 195.552, Page 47, Line 11, by inserting the following after all of said line:

"198.097. 1. Any person who assumes the responsibility of managing the financial affairs of an elderly person who is a resident of a nursing home [shall be] is guilty of a class D felony if such person misappropriates the funds and fails to pay for the nursing home care of the elderly person.

2. It shall be evidence of misappropriating funds and failing to pay for the nursing home care of an elderly person if:

(1) The nursing home sends written notification of failure to pay nursing home expenses incurred by an elderly resident to the person who has assumed responsibility of managing the financial affairs of the elderly person;

(2) The nursing home does not receive payment within thirty days of such person receiving actual notice in writing for the first time and the nursing home sends a second written notification of failure to pay nursing home expenses;

(3) The nursing home does not receive payment within thirty days of such person receiving actual notice in writing for the second time and the nursing home sends a third and final written notification of failure to pay nursing home expenses; and

(4) The nursing home does not receive payment within thirty days of such person receiving actual notice in writing for the third and final time.

As used in this subsection, "actual notice in writing" means notice of the nonpayment which is actually received by the person who has assumed responsibility of managing the financial affairs of an elderly person. Such notice may include, but shall not be limited to, notice by certified mail, return receipt requested."; and

Further amend said substitute, Section 573.037, Page 82, Line 7, by inserting the following after all of said line:

"575.065. 1. A person commits the crime of obstruction of justice if such person, with the intent to prevent the apprehension or obstruct the prosecution or defense of any person, knowingly commits any of the following acts:

(1) Destroys, alters, conceals, or disguises physical evidence, plants false evidence, furnishes false information; or

(2) Induces a witness having knowledge material to the subject at issue to leave the state or conceal himself or herself; or

(3) Possessing knowledge material to the subject at issue he or she leaves the state or conceals himself or herself.

2. Obstruction of justice is a class A misdemeanor unless the actor obstructs prosecution or defense of a felony in which case it is a class D felony.

575.070. No person shall be convicted of a violation of sections 575.040, 575.050 [or] , 575.060, or **575.065** based upon the making of a false statement except upon proof of the falsity of the statement by:

(1) The direct evidence of two witnesses; or

(2) The direct evidence of one witness together with strongly corroborating circumstances; or

(3) Demonstrative evidence which conclusively proves the falsity of the statement; or

(4) A directly contradictory statement by the defendant under oath together with

(a) The direct evidence of one witness; or

(b) Strongly corroborating circumstances; or

(5) A judicial admission by the defendant that he **or she** made the statement knowing it was false. An admission, which is not a judicial admission, by the defendant that he **or she** made the statement knowing it was false may constitute strongly corroborating circumstances."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Weter offered **House Amendment No. 1 to House Amendment No. 16.**

House Amendment No. 1

to

House Amendment No. 16

AMEND House Amendment No. 16 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 1, Section 198.097, Lines 10-19, and Page 2, Lines 1-12, by deleting said lines and inserting in lieu thereof the following:

"198.097. 1. Any person who assumes the responsibility of managing the financial affairs of an elderly or disabled person who is a resident of [a nursing home] any facility licensed under chapter 198, shall be guilty of a class D felony if such person misappropriates the funds and fails to pay for the [nursing home] facility care of the elderly or disabled person. For the purposes of this section, a person assumes the responsibility of managing the financial affairs of an elderly or disabled person when he or she receives, has access to, handles or controls the elderly or disabled person's monetary funds, including but not limited to Social Security income, pension, cash or other resident income.

2. Evidence of misappropriating funds and failing to pay for the care of an elderly or disabled person may include, but shall not be limited to proof that the facility has sent, by certified mail with confirmation receipt requested, notification of failure to pay facility care expenses incurred by a resident to the person who has assumed responsibility of managing the financial affairs of the resident.

3. Nothing is subsection 2 of this section shall be construed as limiting the investigations or prosecutions of violations of subsection 1 of this section or the crime of financial exploitation of an elderly or disabled person as defined by section 570.145, RSMo."

On motion of Representative Weter, **House Amendment No. 1 to House Amendment No. 16** was adopted.

On motion of Representative Bringer, **House Amendment No. 16, as amended**, was adopted.

Representative Corcoran offered **House Amendment No. 17**.

Representative Pratt raised a point of order that **House Amendment No. 17** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Roorda offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 455.003, Page 67, Line 16, by inserting immediately after said line the following:

"488.028. As provided by section 590.806, RSMo, there shall be assessed and collected a surcharge of seven dollars in each criminal case involving violations of any county ordinance or a violation of any criminal or traffic laws of the state, including infractions, or violations of municipal ordinances, provided that no such fee shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality or against any person who has pled guilty and paid their fine under subsection 4 of section 476.385, RSMo. For purposes of this section, the term "county ordinance" shall include any ordinance of any city not within a county. The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.020. Such funds shall be payable to the law enforcement safety fund created under section 590.803, RSMo."; and

Further amend said substitute, Section 590.190, Page 106, Line 9, by inserting immediately after said line the following:

"590.800. As used in sections 590.800 to 590.830, unless the context clearly indicates that a different meaning is intended, the following terms shall mean:

- (1) "Board of directors" or "board", the board of directors established in sections 590.800 to 590.830;**
- (2) "Creditable membership service", service as a police chief or a police officer of an eligible municipality or as a deputy sheriff after becoming a member that is creditable in determining the amount of the member's benefits under this system;**
- (3) "Defined contribution system" or "system", the law enforcement safety fund system authorized by sections 590.800 to 590.830;**
- (4) "Employee", any full-time police chief or police officer of a municipal police department in this state, including the Kansas City police department, the St. Louis police department, and the St. Louis County police department, and any full-time deputy sheriffs;**
- (5) "Member" and "eligible members", any active marshal, police chief, police officer, sheriff, or deputy sheriff of the system; any former police chief, police officer, sheriff, or deputy sheriff receiving benefits from the system; any former police chief, police officer, sheriff, or deputy sheriff that is vested in the system but not receiving benefits; any marshal, police chief, police officer, sheriff, or deputy sheriff on disability leave; and for the purposes of section 590.812, any marshal, police chief or police officer who is employed full-time by an eligible municipality or any sheriff or deputy sheriff who is employed full-time by a county;**
- (6) "Municipality" or "eligible municipality", each municipal police department, including the Kansas City police department, the St. Louis police department, and the St. Louis County police department;**
- (7) "Prior service", the total years of full-time licensed and commissioned law enforcement service.**

590.803. There is hereby established a "Law Enforcement Safety Fund" which shall be under the management of a board of directors described in section 590.809. The board of directors shall be responsible for the administration and the investment of the moneys of such fund. Neither the general assembly nor the governing body of a county shall appropriate moneys for deposit in the fund. If insufficient funds are generated to provide the benefits payable under the provisions of sections 590.800 to 590.830, the board shall proportion the benefits according to the funds available.

590.806. 1. Beginning August 28, 2007, the following surcharge for police chiefs, police officers, and deputy sheriffs shall be collected and paid as follows:

(1) There shall be assessed and collected a surcharge of seven dollars in each criminal case involving violations of any county ordinance or a violation of any criminal or traffic laws of the state, including infractions, or violations of municipal ordinances, provided that no such fee shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality or against any person who has pled guilty and paid their fine under subsection 4 of section 476.385, RSMo. For purposes of this section, the term "county ordinance" shall include any ordinance of any city not within a county;

(2) The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.020, RSMo. Such funds shall be payable to the law enforcement safety fund created under section 590.803, and shall be used only for the purposes provided for in sections 590.800 to 590.830. This fee shall be collected in all criminal cases, including violations of any county or municipal ordinances or any violations of criminal or traffic laws, including cases where a collection agency is being used.

2. The board may accept gifts, donations, grants, and bequests from public or private sources to the law enforcement safety fund.

590.809. 1. The general administration and the responsibility for the proper operation of the fund and the investment of the fund are vested in a board of directors of seven persons. Two of the directors shall be chiefs of police who are members of the Missouri Police Chiefs' Association, two of the directors shall be full-time police officers or deputy sheriffs who are members of a state fraternal order of police, one of the directors shall be a sheriff, one of the directors shall be a member of the general assembly from the joint committee on public employee retirement, and one of the directors shall be a member at-large. The directors of the first board shall be appointed by the governor by and with the consent of the senate, and shall serve terms of four years from the first day of January, 2008. For subsequent boards, the two police chief directors shall be elected by a secret ballot vote of the members of the Missouri Police Chiefs' Association. The two police officers or deputy sheriff directors shall be elected by a secret ballot vote of the members of the Missouri fraternal order of police. The sheriff director shall be elected by a secret ballot vote of the members of the Missouri Sheriffs' Association. The director from the general assembly shall be appointed by the governor with the advice and consent of the senate. The member-at-large shall be appointed by the other board members. It shall be the responsibility of the initial board to establish procedures for the conduct of future elections of directors and such procedures shall be approved by a majority vote by secret ballot of the police chiefs, officers, and deputy sheriffs. The board shall have all powers and duties that are necessary and proper to enable it, its officers, employees, and agents to fully and effectively carry out all the purposes of sections 590.800 to 590.830.

2. The board of directors shall elect one of their members as chair and one of their members as vice chair and may employ an administrator who shall serve as secretary to the board. The board shall hold regular meetings at least once each quarter. Other meetings may be called as necessary by the chair. Notice of such meetings shall be given in accordance with chapter 610, RSMo.

3. The board of directors shall retain an investment counsel to be an investment advisor to the board, and the board of directors shall arrange for annual audits by a certified public accountant.

4. The board of directors shall serve without compensation for their services as such, except that each director shall be paid for any necessary expenses incurred in the performance of duties authorized by the board.

5. The board of directors shall be allowed administrative costs for the operation of the system.

6. The board shall keep a record of its proceedings which shall be open to public inspection and shall annually prepare a report showing the financial condition of the system. The report shall contain, but not be limited to, an auditor's opinion, financial statements prepared in accordance with generally accepted accounting principles, an actuary's certification along with actuarial assumptions, and financial solvency tests.

7. Notwithstanding any other provisions of law, after the expiration of the terms of the initial board of directors, the directors elected as successors to those initial directors shall be elected to staggered terms of four years each in the following manner: three directors shall be elected for a two-year term with their successors being elected to four-year terms, and four directors shall be elected for a four-year term. The procedures for such elections and the designation of which terms will initially be two-year terms and which will be four-year terms shall be established solely by the board of directors of the law enforcement safety fund system. Beginning with the election of directors under the provisions of this subsection, at least one, but not more than two of the directors, may be a member of the law enforcement safety fund system, except that any vacancies occurring on the board after all members have been duly elected shall be filled by the board and such appointed members shall serve until the next regularly scheduled election for such filled position.

8. Notwithstanding any provision of law, any board member who was elected to the board as an active member representative and becomes a retired member of the system after such election shall, with the approval of the board, continue to serve on the board as an active member representative until the next regularly scheduled election for that position.

590.812. On or after the effective date of the establishment of the system, as an incident to his or her employment or continued employment, each person employed full-time as an elected marshal, chief of police, police officer of a municipality, or sheriff or deputy sheriff of a county, including sheriffs from any county with a charter form of government with more than one million inhabitants, and any home rule city with more than four thousand inhabitants and located in more than one county, but excluding sheriffs from any city not within a county, may become a member of the system upon their enrollment as a member of the system and their first monthly contribution payment of a minimum of twenty dollars. Such membership shall continue as long as the member continues to be an employee in a municipal police department or in a sheriff's office, and continues to make at least the minimum monthly contribution to the system, or is eligible to receive grants from the fund under the provisions of sections 590.800 to 590.830.

590.815. 1. Any member who is a marshal, chief of police, police officer of a municipality, or a sheriff or deputy sheriff of a county shall receive the funds the member personally contributes, at any time, plus any interest or dividends accrued, minus any maintenance fees.

2. In addition to the funds the member personally contributes, any member who has ten years or more of creditable membership service and a minimum of ten years of prior service in a position that would have been covered by the system if it had been established, or who has five years or more of creditable membership service and a minimum of fifteen years of prior service in a position that would have been covered by the system if it had been established may also receive the moneys payable from surcharges collected as set forth in section 488.028, RSMo, and section 590.806, if the member is eligible to receive such funds and has met the retirement requirements. Such funds granted shall be equally divided among the eligible members who participate in the defined contribution system and shall be available beginning on the first of January next succeeding the expiration of five calendar years from the effective date of the establishment of the system. The money amount granted shall continue to be paid to any survivor determined and officially documented by each member upon enrollment and may be revised by official notification. In no case shall any member receive benefits from the program prior to the age of fifty-five.

590.818. For the purpose of calculating benefits of a member, creditable membership service years of service as a member of the program and twelfths of a year are to be used.

590.821. Any eligible marshal, chief of police, police officer, sheriff, or deputy sheriff who becomes a member of the system on the effective date of the establishment of the system shall be given credit for up to fifteen years of eligible prior service in any of these positions. All such prior service shall be established to the satisfaction of the board.

590.824. Any member may receive grants from the fund at any time after the end of the month during which the member becomes eligible under the provisions of section 590.815 and upon the member's submission of a written application to the board setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing of the application, the member desires to receive such grants.

590.827. 1. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee and completing the creditable membership service, as set forth in section 590.812.

2. Absences for sickness or injury of less than twelve months shall be counted as membership service.

590.830. The benefits under sections 590.800 to 590.830 shall in no way affect any person's eligibility for benefits under any other retirement plan."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda moved that **House Amendment No. 18** be adopted.

Which motion was defeated.

Representative Harris (23) offered **House Amendment No. 19.**

House Amendment No. 19

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 577.023, Page 90, Line 124, by inserting immediately after said line the following:

"577.024. When a person is convicted of an intoxication-related traffic offense the following penalties apply when the person's blood, breath, or urine was sixteen-hundredths of one percent or more based on the definition of blood, breath, saliva, or urine units in section 577.012:

(1) A person who is convicted of an intoxication-related traffic offense a first time, in addition to any other penalty that may be imposed, is subject to a mandatory minimum of one hundred hours of community service and a minimum fine of five hundred dollars;

(2) A person who is convicted of an intoxication-related traffic offense a second time within a ten-year period, in addition to any other penalty that may be imposed, is subject to a mandatory minimum of two days of imprisonment and a minimum fine of one thousand two hundred fifty dollars;

(3) A person who is convicted of an intoxication-related traffic offense a third time within a twenty-year period is guilty of a Class B felony and, in addition to any other penalty that may be imposed, is subject to a mandatory minimum of ninety days of imprisonment and a minimum fine of two thousand five hundred dollars;

(4) A person who is convicted of an intoxication-related traffic offense a fourth or subsequent time, in addition to any other penalty that may be imposed, is not eligible for a sentence of probation or condition discharge and is subject to a minimum fine of two thousand five hundred dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Harris (23), **House Amendment No. 19** was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Hubbard	Hughes	Hunter

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Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 007

El-Amin	Holsman	Hoskins	Talboy	Villa
Walton	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Cunningham 145	Dougherty	Lembke	Lowe 44
Nasheed	Schaaf	Spreng		

Representative Kraus offered **House Amendment No. 20.**

House Amendment No. 20

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 311.326, Page 64, Line 17, by inserting after all of said line the following:

"407.300. 1. Every **purchaser or** collector of, or dealer in junk, **scrap metal**, or any secondhand property shall keep a register [which shall contain the name and address of the person from whom] **containing a written or electronic record for each purchase or trade in which each type of metal subject to the provisions of this section is obtained for value. There shall be a separate record for each transaction involving** any copper, **aluminum** wire or cable [is purchased], whatever may be the condition or length of such [copper wire or cable] **metal. The record shall contain the following data: A copy of the operator's license or other state-issued or federally issued form of identification of the person from whom the material is obtained;** [the residence or place of business and driver's license number of such person:] **the date, time, and place of and** a full description of each **such purchase or trade** including the quantity by weight thereof]; and shall permit any peace officer to inspect the register at any reasonable time].

2. **The records required under this section shall be maintained for a minimum of twenty-four months from when such material is obtained and shall be available for inspection by any law enforcement agent.**

3. Anyone convicted of violating this section shall be [fined not less than twenty-five dollars nor more than five hundred dollars, or imprisoned for not less than thirty days nor more than six months, or both] **guilty of a class A misdemeanor.**

4. **This section shall not apply to any of the following transactions:**

(1) **Any transaction for which the total amount paid for all regulated scrap metal purchased or sold does not exceed fifty dollars or fifty pounds, whichever is greater;**

(2) Any transaction in which the seller is an established scrap metal dealer that operates a business with a fixed location that can be reasonably identified as a scrap metal dealer;

(3) Any transaction for which the seller has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business; or

(4) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for equipment used in the generation and transmission of electrical power."; and

Further amend said bill, Section 570.040, Page 82, Line 16, by inserting after all of said line the following:

"570.055. Any person who steals or appropriates, without consent of the owner, any energized or live wire, electrical transformer, or any other device that at the time of the theft is conducting electricity shall be guilty of a class D felony."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kraus, **House Amendment No. 20** was adopted.

Representative Munzlinger offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 304.230, Page 57, Line 54, by inserting after all of said line the following:

"Commercial vehicle officers selected and designated as peace officers by the superintendent of the Missouri state highway patrol are hereby declared to be peace officers of the state of Missouri, with full power and authority to make arrests solely for violations under the powers granted in subdivisions (1) to (3) of this subsection."; and

Further amend said section, Page 57, Line 57, by inserting after the word "patrol" on said line the following:

"and have completed the mandatory standards for the basic training and licensure of peace officers established by the peace officers standards and training commission under subsection 1 of section 590.030, RSMo. Commercial vehicle officers who are employed and performing their duties on August 28, 2007, shall have until July 1, 2011, to comply with the mandatory standards regarding police officer basic training and licensure."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Munzlinger, **House Amendment No. 21** was adopted.

Representative Kraus offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 81, Section 566.148, Line 19, by inserting after all of said section the following:

"566.150 1. Any person who has pleaded guilty to, or been convicted of, or been found guilty of violating any of the provisions of this chapter or the provisions of subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023, RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting child pornography; or section

573.040, RSMo, furnishing pornographic material to minors; shall not serve as an athletic coach, manager, or athletic trainer for any sports team in which a child less than seventeen years of age is a member.

2. The first violation of the provisions of this section shall be a class A misdemeanor.

3. Any second or subsequent violation of this section shall be a class D felony."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kraus, **House Amendment No. 22** was adopted.

Representative Yates offered **House Amendment No. 23.**

House Amendment No. 23

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 409.6-604, Page 66, Line 60, by inserting immediately after said line the following:

"427.225. 1. Deceptive use of a financial institution's name in notification or solicitation occurs when a business, or a person acting on its behalf, engages in the following activity:

(1) Through advertisement, solicitation, or other notification, either verbally or through any other means, informs a consumer of the availability of any type of goods or services that are not free;

(2) The name of an unrelated and unaffiliated financial institution is mentioned in any manner;

(3) The goods or services mentioned are not actually provided by the unrelated and unaffiliated financial institution whose name is mentioned;

(4) The business on whose behalf the notification or solicitation is made does not have a consensual right to mention the name of the unrelated and unaffiliated financial institution; and

(5) Neither the actual name nor trade name of the business on whose behalf the notification or solicitation is being made is stated, nor the actual name or trade name of any actual provider of the goods or services is stated, so as to clearly identify for the consumer a name that is distinguishable and separate from the name of the unrelated and unaffiliated financial institution whose name is mentioned in any manner in the notification or solicitation, and thereby a misleading implication or ambiguity is created, such that a consumer who is the recipient of the advertisement, solicitation or notification may reasonably but erroneously believe:

(a) That the goods or services whose availability is mentioned are made available by or through the unrelated and unaffiliated financial institution whose name is mentioned; or

(b) That the unrelated and unaffiliated financial institution whose name is mentioned is the one communicating with the consumer.

2. Deceptive use of another's name in notification or solicitation occurs when a business, or a person acting on its behalf, engages in the following activity:

(1) Falsely states or implies that any person, product or service is recommended or endorsed by a named third-person financial institution; or

(2) Falsely states that information about the consumer including but not limited to the name, address, or phone number of the consumer has been provided by a third-person financial institution, whether that person is named or unnamed.

3. [Only] The financial institution whose name is deceptively used, as provided in this section, may bring a private civil action and recover a minimum amount of ten thousand dollars, court costs, and attorney fees plus any damages such financial institution may prove at trial.

4. For the purposes of this section, a financial institution includes a commercial bank, savings and loan association, savings bank, credit union, mortgage banker, or consumer finance company, or an institution chartered pursuant to the provisions of an act of the United States known as the Farm Credit Act of 1971.

5. Nothing contained in this section shall bar the attorney general from enforcing the provisions of sections 407.010 to 407.145, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Yates, **House Amendment No. 23** was adopted.

Representative Portwood offered **House Amendment No. 24**.

Representative Darrough raised a point of order that **House Amendment No. 24** was not distributed in a timely manner.

The Chair ruled the point of order well taken.

Representative Harris (23) offered **House Amendment No. 25**.

House Amendment No. 25

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 544.157, Page 69, Line 43, by inserting immediately after said line the following:

"544.560. **1. Except as provided in subsection 2 of this section**, when any sheriff or other officer shall arrest a party by virtue of a warrant upon an indictment, or shall have a person in custody under a warrant of commitment on account of failing to find conditions for release as provided in section 544.455, and the conditions for release required are specified on the warrant, or if the case is a misdemeanor, such officer may set the conditions for release, and discharge the person so held from actual custody.

2. Subject to the provisions of section 544.170, no peace officer may release any person arrested for manufacturing or attempting to manufacture a controlled substance pursuant to section 195.211, RSMo, or violating subsection 8 of section 195.222, RSMo, or violating subsection 9 of section 195.223, RSMo, from custody until the person appears before a judge.

3. In determining bond and other conditions of release, the judge shall consider any evidence that the person is in any manner dependent upon a controlled dangerous substance or has a pattern of regular, illegal use of any controlled dangerous substance. A rebuttable presumption that no conditions of release on bond would assure the safety of the community or any person therein shall arise if the state shows by a preponderance of the evidence that:

(1) The person was arrested for manufacturing or attempting to manufacture a controlled substance pursuant to section 195.211, RSMo, or violating subsection 8 of section 195.222, RSMo, or violating subsection 9 of section 195.223, RSMo; and

(2) The person is in any manner dependent upon a controlled dangerous substance or has a pattern of regular, illegal use of a controlled substance, and the person violating either statute referred to in subdivision (1) of this subsection committed or attempted to commit the violation to maintain or facilitate the person's dependence or pattern of illegal use."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Harris (23), **House Amendment No. 25** was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cox	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Johnson	Jones 89	Jones 117

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Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 008

Bowman	Cooper 155	Cunningham 145	Dougherty	Icet
Ruestman	Schaaf	Spren		

Representative Roorda offered **House Amendment No. 26.**

Representative Pratt raised a point of order that **House Amendment No. 26** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Donnelly offered **House Amendment No. 27.**

House Amendment No. 27

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 577.029, Page 92, Line 2, by inserting after the word "his" the following:

"or her"; and

Further amend said substitute, said section, said page, Line 4, by inserting immediately after the word "his" the following:

"or her"; and

Further amend said substitute, said section, said page, Line 12, by inserting immediately after the word "him" the following:

"or her"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Donnelly, **House Amendment No. 27** was adopted.

Representative Harris (23) offered **House Amendment No. 28**.

House Amendment No. 28

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 221.040, Page 49, Line 21, by inserting immediately after said line the following:

"221.515. **1. Any person designated a jailer under the provisions of this chapter shall have the power to serve [an arrest warrant] civil process and arrest warrants on any person who surrenders himself or herself to the facility under an arrest warrant or** is already an inmate in the custody of the facility in or at which such jailer is employed.

2. Under the rules and regulations of the sheriff, employees designated as jailers may carry firearms when necessary for the proper discharge of their duties as jailers in this state under the provisions of this chapter.

3. Such persons authorized to act by the sheriff as jailers under the rules and regulations of the sheriff shall have the same power as granted any other law enforcement officers in this state to arrest escaped prisoners and apprehend all persons who may be aiding and abetting such escape while in the custody of the sheriff in accordance with state law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Harris (23), **House Amendment No. 28** was adopted.

Representative Portwood offered **House Amendment No 29**.

House Amendment No. 29

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 10, Section 174.712, Line 5, by inserting after all of said line the following:

"188.080. **1. Notwithstanding any other provision of law to the contrary that may allow a non-physician to provide services related to pregnancy (including prenatal, delivery, and post partum services),** any person who is not a physician who performs or induces or attempts to perform or induce an abortion on another is guilty of a class B felony, and, upon conviction, shall be punished as provided by law.

2. Any physician performing or inducing an abortion who does not have clinical privileges at a hospital which offers obstetrical or gynecological care located within thirty miles of the location at which the abortion is performed or induced shall be guilty of a class A misdemeanor, and, upon conviction shall be punished as provided by law."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Portwood, **House Amendment No. 29** was adopted.

Representative Avery offered **House Amendment No. 30**.

House Amendment No. 30

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Page 50, Section 287.067, Line 46, by inserting after all of said line the following:

"**287.243. 1. Sections 287.243 and 287.245 shall be known and may be cited as the "Line of Duty Compensation Act".**

2. As used in sections 287.243 and 287.245, unless otherwise provided, the following words shall mean:

(1) "Aviation medical crew member", a person serving as a flight paramedic, a flight nurse, or as a pilot in command;

(2) "Department of corrections employee" or "juvenile justice employee", supervisors, wardens, superintendents and their assistants, guards and keepers, correctional officers, youth supervisors, parole agents, school teachers, correctional counselors, or any employee having daily contact with inmates in any facility of either the department of corrections or within the juvenile justice system;

(3) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, RSMo, and by rules adopted by the department of health and senior services under sections 190.001 to 190.245, RSMo;

(4) "Firefighter", any person, including a volunteer firefighter, employed by the state or a local governmental entity as, or otherwise serving as, a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(5) "Killed in the line of duty", when any individual defined in this section loses one's life as a result of injury received in the active performance of duties in his or her respective profession, if the death occurs within three hundred weeks from the date the injury was received and if that injury arose from violence of another or accidental cause subject to the provisions of paragraph (a) and (b) of this subdivision. The term excludes death resulting from the willful misconduct or intoxication of the officer, emergency medical technician, paramedic, firefighter, aviation medical crew member, juvenile justice employee, or department of corrections employee. The division of workers' compensation shall have the burden of proving such willful misconduct or intoxication;

(a) For juvenile justice employees and department of corrections employees, the death shall be caused by the direct or indirect willful act of an inmate, work releasee, parolee, parole violator, person under conditional release, or any person sentenced or committed, or otherwise subject to confinement by the department of corrections or juvenile justice employees while the individual is within the facilities under the control of the department of corrections or the juvenile justice system, the individual is in the act of transporting inmates from one location to another, or the individual is performing any other official duty;

(b) For firefighters, law enforcement officers, emergency medical technicians, aviation medical crew members, and paramedics, the death shall be caused by accident or as a result of a willful act of violence committed by a person other than the officer, firefighter, emergency medical technician, aviation medical crew member, or paramedic, and a relationship exists between the commission of such act and the individual's performance of his or her duties as a law enforcement officer, firefighter, emergency medical technician, aviation medical crew member, or paramedic, regardless of whether the injury is received while the individual is on duty; the injury is received by a law enforcement officer while he or she is attempting to prevent the commission of a criminal act of another person or attempting to apprehend an individual suspected of committing a crime, regardless of whether the injury is received while the individual is on duty as a law enforcement officer; or the injury is received by the individual while traveling to or from his or her employment or during any meal break, or other break, which takes place during the period in which the law enforcement officer, firefighter, emergency medical technician, aviation medical crew member, or paramedic is on duty;

(6) "Law enforcement officer" or "officer", any person employed by the state or a local governmental entity as a policeman, peace officer, auxiliary policeman or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life;

(7) "Local governmental entity", includes counties, municipalities, fire protection districts, and municipal corporations;

(8) "Paramedic", an emergency medical technician paramedic certified by the department of health and senior services of the state;

(9) "State", the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

(10) "Volunteer firefighter", a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed with the division of workers' compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, paramedic, aviation medical crew member, firefighter, juvenile justice employee, or department of

corrections employee killed in the line of duty. A claim may be filed by a person who, at the time of injury, is a dependent or spouse of the deceased, or if such person is an incapacitated or disabled person, or a minor, by the person's parent, conservator, or guardian on behalf of the eligible claimant. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, paramedic, aviation medical crew member, firefighter, juvenile justice employee, or department of corrections employee killed in the line of duty, compensation shall be paid if the claim is found to be compensable under sections 287.243 and 287.245, by the division of workers' compensation from the line of duty compensation fund established in section 287.245 to the claimant.

(2) The amount of compensation paid to the spouse or dependent shall be one hundred thousand dollars, subject to appropriations, paid from the line of duty compensation fund established in section 287.245 for death occurring on or after January 1, 2009.

4. A burial benefit of up to a maximum of ten thousand dollars, subject to appropriations paid from the line of duty compensation fund established under section 287.245, shall be payable to the surviving spouse, dependent, or estate of a law enforcement officer, firefighter, emergency medical technician, paramedic, aviation medical crew member, juvenile justice employee, or department of corrections employee, who is killed in the line of duty on or after the effective date of this section.

5. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the officer, emergency medical technician, paramedic, aviation medical crew member, firefighter, juvenile justice employee, or department of corrections employee was serving at the time of his or her death;

(2) The names and addresses of the dependents or spouse making a claim to receive the compensation;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers' compensation shall make an investigation for substantiation of matters set forth in the application.

6. The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

7. Any person seeking compensation under the provisions of sections 287.243 and 287.245, who is aggrieved by the decision of the division of workers' compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

8. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

287.245. 1. There is hereby established in the state treasury, the "Line of Duty Compensation Fund". Funds transferred to the line of duty compensation fund shall be made from general revenue and appropriated solely for the purpose set out in section 287.243. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. The division of workers' compensation shall annually submit to the governor and members of the general assembly by February first of each year, a report containing a full and complete account of compensation payments made from the line of duty compensation fund.

3. All compensation paid under sections 287.243 and 287.245 and all appropriations for administration of sections 287.243 and 287.245 shall be made from the line of duty compensation fund. Any unexpended balance

remaining in the line of duty compensation fund at the end of each year, apart from any balance remaining in the subaccount retained in subsection 4 of this section shall, notwithstanding the provisions of section 33.080, RSMo, be transferred to the general revenue fund. In the event that there are insufficient funds in the line of duty compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the line of duty compensation fund, then no claim shall be paid until funds have again accumulated in the line of duty compensation fund. When sufficient funds become available from the fund, compensation which has not been paid shall be paid in chronological order with the oldest paid first. In the event compensation was to be paid in installments and some remaining installments have not been paid due to a lack of funds, then when funds do become available, that compensation shall be paid in full. All such compensation on which installments remain due shall be paid in full in chronological order before any other postdated compensation shall be paid. Any compensation pursuant to this subsection is specifically not a claim against the state if it cannot be paid due to a lack of funds in the line of duty compensation fund.

4. Any gifts, contributions, grants, or federal funds specifically given to the division of workers' compensation for the benefit of claimants under sections 287.243 and 287.245 shall be credited to and retained in a subaccount of the line of duty compensation fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any unexpended balance remaining in this subaccount at the end of the biennium shall not revert to the general revenue fund."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 30** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Avery, **House Amendment No. 30** was adopted.

Representative Deeken offered **House Amendment No. 31**.

House Amendment No. 31

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 217.670, Page 49, Line 26, by inserting immediately after said line the following:

"217.692. 1. Notwithstanding any other provision of law to the contrary, any offender incarcerated in a correctional institution serving any sentence of life with no parole for fifty years or life without parole, and who:

(1) Pleaded guilty to or was found guilty of a homicide of a spouse or domestic partner;

(2) Has no prior felony convictions;

(3) No longer has a cognizable legal claim or legal recourse; and

(4) Has a history of being a victim of continual and substantial physical or sexual domestic violence that was not fully presented at trial or sentencing and such history can be corroborated with evidence of physical or sexual abuse of the offender, including but not limited to witness statements, hospital records, social service records, and law enforcement records;

shall be eligible for parole after having served fifteen years of such sentence when the board determines, by using the guidelines established by this section, that there is a strong and reasonable probability that the person will not thereafter violate the law.

2. The board of probation and parole shall give a thorough review of the case history and prison record of any offender described in subsection 1 of this section. At the end of the board's review, the board shall provide the offender with a copy of a statement of reasons for its parole decision.

3. Any offender released under the provisions of this section shall be under the supervision of the parole board for an amount of time to be determined by the board.

4. The parole board shall consider, but not be limited to the following criteria when making its parole decision:

(1) Length of time served;

- (2) Prison record and self-rehabilitation efforts;
 - (3) Whether the history of the case included corroborative material of physical, sexual, mental, or emotional abuse of the offender, including but not limited to witness statements, hospital records, social service records, and law enforcement records;
 - (4) If an offer of a plea bargain was made and if so, why the offender rejected or accepted the offer;
 - (5) Any victim information as outlined in subsection 7 of section 217.690 and section 595.209, RSMo;
 - (6) The offender's continued claim of innocence;
 - (7) The age and maturity of the offender at the time of the board's decision;
 - (8) The age and maturity of the offender at the time of the crime and any contributing influence affecting the offender's judgment;
 - (9) The presence of a workable parole plan; and
 - (10) Community and family support.
5. Nothing in this section shall limit the review of any offender's case who is eligible for parole prior to fifteen years, nor shall it limit in any way the parole board's power to grant parole prior to fifteen years.
6. Nothing in this section shall limit the review of any offender's case who has applied for executive clemency, nor shall it limit in any way the governor's power to grant clemency.
7. Offenders, who pleaded guilty to or were found guilty of homicide of a spouse or domestic partner and had a history being a victim of domestic violence by the spouse or domestic partner presented in court, shall not be eligible for parole under this section.
8. It shall be the responsibility of the offender to petition the board for a hearing under this section.
9. A person commits the crime of perjury under section 575.040, RSMo, if he or she, with the purpose to deceive, knowingly makes a false witness statement to the board."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Deeken moved that **House Amendment No. 31** be adopted.

Which motion was defeated by following vote:

AYES: 050

Aull	Baker 25	Bland	Bringer	Burnett
Chappelle-Nadal	Corcoran	Curls	Daus	Deeken
Donnelly	Dougherty	El-Amin	Fallert	George
Harris 23	Hodges	Holsman	Hoskins	Kuessner
Lampe	LeVota	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Rucker	Salva	Scavuzzo
Schoemehl	Skaggs	Spreng	Storch	Talboy
Todd	Villa	Walsh	Walton	Whorton
Wildberger	Wright-Jones	Yaeger	Young	Zweifel

NOES: 104

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 86	Darrough
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lembke	Liese	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson

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Pearce	Pollock	Portwood	Pratt	Richard
Robb	Robinson	Roorda	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Vogt	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 002

Grill Zimmerman

ABSENT WITH LEAVE: 007

Bowman	Cunningham 145	Hubbard	Hughes	Kratky
Quinn 7	Viebrock			

Representative Dethrow offered **House Amendment No. 32.**

Representative Darrough raised a point of order that **House Amendment No. 32** was not distributed in a timely manner.

The Chair ruled the point of order well taken.

Representative Bruns offered **House Amendment No. 33.**

House Amendment No. 33

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, Section 488.5025, Page 68, Line 18, by inserting immediately after said line the following:

"516.190. 1. Whenever a cause of action has been fully barred by the laws of the state, territory or country in which it originated, said bar shall be a complete defense to any action thereon, brought in any of the courts of this state.

2. **Notwithstanding any other provision of law, whenever a judgment has been fully barred by the laws of the state, territory or county in which it originated, said bar shall be a complete defense to any action to enforce or revive a judgment registered thereon in this state pursuant to section 577.760, RSMo or any other applicable law, or to any action to enforce to revive any judgment obtained pursuant to an action to enforce that original judgment, and no execution, order, or process shall issue thereon, nor shall any suit be brought, had or maintained thereon for any purposes whatsoever. Said bar shall be a complete defense to the enforcement of any lien resulting from any such judgment and shall cause said lien to expire and not be subject to revival.**

3. **The provisions of subsection 2 shall not apply to any judgment, order or decree awarding child support or maintenance which mandates the making of payments over a period of time."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 33** was adopted.

On motion of Representative Stream, **HCS SS SCS SB 429, as amended**, was adopted.

On motion of Representative Stream, **HCS SS SCS SB 429, as amended**, was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 010

El-Amin	Haywood	Hoskins	Hughes	Johnson
Low 39	Lowe 44	Oxford	Talboy	Whorton

PRESENT: 000

ABSENT WITH LEAVE: 003

Bowman	Cunningham 145	Kelly
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Speaker Pro Tem Bearden declared the bill passed.

On motion of Representative Dempsey, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jamielee Buenemann and Miranda Hoemann.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3654 through House Resolution No. 3730

SUPPLEMENTAL CALENDAR

MAY 15, 2007

SENATE BILL FOR THIRD READING

SS SCS SB 225 - Munzlinger

THIRD READING OF SENATE BILL

SCS SB 66, relating to insurance company investments, was taken up by Representative Yates.

Representative Yates offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 66, Page 1, Line 6 of the Title, by inserting after the word, "investments" the following words, "and examinations"; and

Further amend said bill, Page 58, Section 381.068, by removing all of said section from the bill and inserting in lieu thereof the following:

"381.011. 1. Sections 381.011 to 381.412 shall be known and may be cited as the "Missouri Title Insurance Act".

2. The purpose of sections 381.011 to 381.405 is to provide the state of Missouri with a comprehensive body of law for the effective regulation and supervision of title insurance business transacted within this state in response to the McCarran-Ferguson Act, Sections 1011-1015, Title 15, United States Code.

3. Except as otherwise expressly provided in this chapter and except where the context otherwise requires, all provisions of the laws of this state relating to insurance and insurance companies generally shall apply to title insurance, title insurers, and title agents.

381.015. 1. As used in sections 381.011 to 381.412, the term "title insurance commitment" or "commitment" means a preliminary report, commitment, or binder issued prior to the issuance of a title insurance policy containing the terms, conditions, exceptions, and other matters incorporated by reference under which the title insurer is willing to issue its title insurance policy. A title insurance commitment is not an abstract of title.

2. A title insurer, title agency, or title agent issuing a lender's title insurance policy in conjunction with a mortgage loan made simultaneously with the purchase of all or part of the real estate securing the loan, where no owner's title insurance policy has been requested, shall give written notice, on a form prescribed or approved by the director, to the purchaser-mortgagor at the time the commitment is prepared. The notice shall explain that a lender's title insurance policy is to be issued protecting the mortgage-lender, and that the policy does not provide

title insurance protection to the purchaser-mortgagor as the owner of the property being purchased. The notice shall explain that the purchaser-mortgagor may obtain an owner's title insurance policy protecting the property owner, within sixty days of closing and at a specified cost or approximate cost, if the proposed coverages are or amount of insurance is not then known. A copy of the notice, signed by the purchaser-mortgagor, shall be retained in the relevant underwriting file at least fifteen years after the effective date of the policy.

3. A violation of any provision under this section is a level one violation under section 374.049, RSMo.

381.018. 1. The title insurer shall not allow the issuance of its commitments or policies by a title agency or title agent not affiliated with a title agency unless there is in force a written contract between the parties.

2. The title insurer shall maintain an inventory of all policy numbers allocated to each title agency or title agent not affiliated with a title agency.

3. The title insurer shall have on file proof that the title agency or title agent is licensed by this state at the time a written contract is entered into or before it becomes effective.

4. The title insurer shall establish the underwriting guidelines and, where applicable, limitations on title claims settlement authority to be incorporated into contracts with its title agencies and title agents not affiliated with a title agency.

5. If a title insurer terminates its contract with a title agency licensed under this chapter, the insurer shall, within seven days of the termination, notify the director of the reasons for termination, including any information that is required to be reported under subsection 5 of section 375.022, RSMo.

6. A violation of any provision under this section is a level two violation under section 374.049, RSMo.

381.019. 1. A title insurer, title agency or title agent participating in a settlement or closing of a residential real estate transaction shall provide clear, conspicuous, and distinct disclosure of premiums and charges. The director shall adopt rules not in conflict with provisions of the federal Real Estate Settlement Procedures Act, as amended, under section 381.042 to implement disclosure of the following:

- (1) Premium;
- (2) Abstract or title search and examination fee and any other associated charges or fees; and
- (3) Settlement, escrow, or closing fees.

2. A violation of any provision under this section is a level two violation under section 374.049, RSMo.

381.022. 1. As used in sections 381.011 to 381.412, the following terms mean:

(1) "Escrow", written instruments, money or other items deposited by one party with a depository, escrow agent, or escrowee for delivery to another party upon the performance of a specified condition or the happening of a certain event;

(2) "Qualified depository institution", an institution that is:

(a) Organized or, in the case of a United States branch or agency office of a foreign banking organization, licensed under the laws of the United States or any state and has been granted authority to operate with fiduciary powers;

(b) Regulated, supervised, and examined by federal or state authorities having regulatory authority over banks and trust companies;

(c) Insured by the appropriate federal entity; and

(d) Qualified under any additional rules established by the director;

(3) "Security" or "security deposit", funds or other property received by the title insurer as collateral to secure an indemnitor's obligation under an indemnity agreement under which the insurer is granted a perfected security interest in the collateral in exchange for agreeing to provide coverage in a title insurance policy for a specific title exception to coverage.

2. A title insurer, title agency, or title agent not affiliated with a title agency may operate as an escrow, security, settlement, or closing agent, provided that all funds deposited with the title insurer, title agency, or title agent not affiliated with a title agency, pursuant to written instructions in connection with any escrow, settlement, closing, or security deposit shall be submitted for collection to or deposited in a separate fiduciary trust account or accounts in a qualified depository institution no later than the close of the second business day after receipt, in accordance with the following requirements:

(1) The funds regulated under this section shall be the property of the person or persons entitled to them under the provisions of the escrow, settlement, security deposit, or closing agreement and shall be segregated for

each depository by escrow, settlement, security deposit, or closing in the records of the title insurer, title agency, or title agent not affiliated with a title agency, in a manner that permits the funds to be identified on an individual basis and in accordance with the terms of the individual written instructions or agreements under which the funds were accepted; and

(2) The funds shall be applied only in accordance with the terms of the individual written instructions or agreements under which the funds were accepted.

3. It is unlawful for any person to:

(1) Commingle personal or any other moneys with escrow funds regulated under this section;

(2) Use such escrow funds to pay or indemnify against debts of the title insurance agent or of any other person;

(3) Use such escrow funds for any purpose other than to fulfill the terms of the individual written escrow instructions after the necessary conditions of the written escrow instructions have been met;

(4) Disburse any funds held in an escrow account unless the disbursement is made under a written instruction or agreement specifying under what conditions and to whom such funds may be disbursed or under an order of a court of competent jurisdiction; or

(5) Disburse any funds held in a security deposit account unless the disbursement is made under a written agreement specifying:

(a) What actions the indemnitor shall take to satisfy his or her obligation under the agreement;

(b) The duties of the title insurer, title agency, or title agent not affiliated with a title agency with respect to disposition of the funds held, including a requirement to maintain evidence of the disposition of the title exception before any balance may be paid over to the depositing party or his or her designee; and

(c) Any other provisions the director may require by rule or order.

4. Notwithstanding the provisions of subsection 3 of this section, any bank credits, bank services, interest, or similar consideration received on funds deposited in connection with any escrow, settlement, security deposit, or closing may be retained by the title insurer, title agency, or title agent not affiliated with a title agency as compensation for administration of the escrow or security deposit, unless the specific written instructions for the funds or a governing statute provides otherwise.

5. Notwithstanding the provisions of subsection 2 of this section, a title insurer, title agency, or title agent is not authorized to provide such services as an escrow, security, settlement, or closing agent in a residential real estate transaction unless as part of the same transaction the title insurer, title agency, or title agent issues a commitment, binder, or title insurance policy and closing protection letters have been issued protecting the buyer's and the seller's interests, or the title agency or agent has given written notice to the affected person in a title insurance commitment or on a form approved by rule promulgated by the director that the person's interest in the closing or settlement is not protected by the title insurer, title agency, or title agent.

6. It is unlawful for any title agency or agent to engage in the handling of an escrow, settlement or closing, of a residential real estate transaction unless the escrow handling, settlement or closing is conducted or performed in contemplation of and in conjunction with the issuance of a title insurance policy or a closing protection letter, or prior to the receipt of any funds, the title agency or agent clearly discloses to the seller, buyer or lender involved in such escrow, settlement or closing, that no title insurer is providing any protection for closing or settlement funds received by the title agency or agent.

7. A violation of any provision under this section is a level three violation under section 374.049, RSMo.

381.023. 1. A title insurer shall, at least annually, conduct an onsite review of the underwriting, claims, and escrow practices of the title agency or agent with which it has a contract. If the title agency or agent does not maintain separate fiduciary trust accounts for each title insurer it represents, the title insurer shall verify that the funds held on its behalf are reasonably ascertainable from the books of account and records of the title agency or agent.

2. Each title insurer authorized to do business in Missouri shall adopt and utilize the following standards and procedures for the onsite review of title agencies and agents. Onsite review documentation, work papers, summaries, and reports shall be maintained by each title insurer for a period of at least four years and shall be made available to the director for examination upon request. A report shall be prepared by the title insurer at the completion of the onsite review setting forth the title insurer's findings. Onsite review findings shall include, but not be limited to, the following:

(1) A review of contracts between the title insurer and the title agency or agent;

(2) A confirmation that the title agency or agent has prepared an annual statement of financial condition of the title agency or agent, certified by the title insurance agent or designated agent of the title agency under oath or by affirmation as being a true and accurate representation of financial condition;

(3) A review of policies and practices related to conflicts of interest affiliated business arrangements, and regulatory compliance;

(4) Reconciliation of orders with commitments, title searches, title policies, and collection of premiums;

(5) A review of the agent's procedures for tracking issued commitments;

(6) A review of the practices to cancel commitments on transactions that do not close;

(7) A review of the procedures for follow-up after closing to track status of outstanding conditions required for timely issuance of policies;

(8) A review of the procedures for voiding policies;

(9) A review of the tracking of open escrow, security, settlement or closing files;

(10) A review of issued policy reports to the title insurer by the title agency or agent;

(11) A review of any files awaiting policy issuance that includes a determination of the average length of time between closing and the issuance of the title policy; and

(12) A review of a three-way reconciliation of bank balance, book balance and escrow trial balance for each individual escrow bank account.

3. If the title agency or agent is an agency or agent for two or more title insurers, the title insurers may cooperate in complying with the requirements of this section and shall be exempt from liability for sharing findings with other title insurers represented by the agency or agent.

4. The title insurer shall provide a copy of the report of each such review it performs to the director. The director shall promulgate rules setting forth the minimum threshold level at which a review would be required, the standards thereof and the form of report required.

5. A violation of any provision under this section is a level two violation under section 374.049, RSMo.

381.024. 1. It is unlawful for any title agency or title agent not affiliated with an agency to unreasonably deny access or fail to cooperate with its underwriters in the title insurers' reviews of the agency's or agent's escrow, settlement, closing and security deposit accounts.

2. It is unlawful for any title agency or title agent not affiliated with an agency, appointed by two or more title insurers, to deny any of the title insurers access to the fiduciary trust accounts in connection with providing escrow or closing settlement services, and any or all of the supporting account information in order to ascertain the safety and security of the funds held by the title agency or title agent.

3. A violation of any provision under this section is a level two violation under section 374.049, RSMo.

381.025. 1. As used in this section, the term "county" or "counties" includes any city not within a county.

2. Nothing in sections 381.011 to 381.412 shall be construed as prohibiting the division of premiums and charges between or among a title insurer and its title agent or agency, two or more title insurers, one or more title insurers and one or more title agents or agencies, or two or more title agents or agencies, provided such division of premiums and charges does not constitute a violation of the Real Estate Settlement Procedures Act, 12 U.S.C. Section 2601, et. seq., as amended.

3. A violation of any provision under section 381.141 is a level three violation under section 374.049, RSMo.

4. If the director fails to initiate a proceeding to enforce section 381.141 within forty-five days following receipt of written notice of such violation, any title insurer, title agency, or title agent doing business in the same county may maintain an action for injunctive relief against a title insurer, title agency, or title agent violating any provision of this section. In any action under this subsection, the court may award to the successful party the court costs of the action together with reasonable attorney fees.

381.026. 1. The settlement agent shall present for recording all deeds and security instruments for real estate closings handled by it within five business days after completion of all conditions precedent thereto unless otherwise instructed by all of the parties to the transaction.

2. Nothing in this chapter shall be deemed to prohibit the recording of documents prior to the time funds are available for disbursement with respect to a transaction in which a title insurer, title agency, or title agent not

affiliated with a title agency is the settlement agent, provided all parties to whom payment will become due upon such recording consent thereto in writing.

381.029. 1. As used in this section, the following terms mean:

- (1) "Affiliate", a specific person that directly or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified;
- (2) "Affiliated business", any portion of a title insurance agency's business written in this state that was referred to it by a producer of title insurance business or by an associate of the producer, where the producer or associate, or both, have a financial interest in the title agency;
- (3) "Associate", any:
 - (a) Business organized for profit in which a producer of title business is a director, officer, partner, employee, or an owner of a financial interest;
 - (b) Employee of a producer of title business;
 - (c) Franchisor or franchisee of a producer of title business;
 - (d) Spouse, parent, or child of a producer of title insurance business who is a natural person;
 - (e) Person, other than a natural person, that controls, is controlled by, or is under common control with, a producer of title business;
 - (f) Person with whom a producer of title insurance business or any associate of the producer has an agreement, arrangement, or understanding, or pursues a course of conduct, the purpose or effect of which is to provide financial benefits to that producer or associate for the referral of business;
- (4) "Control", including the terms "controlling", "controlled by", and "under common control with", the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise, unless the power is the result of an official position or corporate office held by the person. Control shall be presumed to exist if a person, directly or indirectly, owns, holds with the power to vote, or holds proxies representing ten percent or more of the voting securities of another person. This presumption may be rebutted by showing that control does not exist in fact. The director may determine, after furnishing all persons in interest notice and opportunity to be heard and making specific findings of fact to support the determination, that control exists in fact, notwithstanding the absence of a presumption to that effect;
- (5) "Referral", the directing or the exercising of any power or influence over the direction of title insurance business, whether or not the consent or approval of any other person is sought or obtained with respect to the referral.

2. Whenever the business to be written constitutes affiliated business, prior to commencing the transaction, the title insurer, title agency, or title agent shall ensure that its customer has been provided with disclosure of the existence of the affiliated business arrangement and a written estimate of the charge or range of charges generally made for the title services provided by the title insurer, title agency, or agent.

3. The director shall establish rules for use by all title agencies in the recording and reporting of the agency's owners and of the agency's ownership interests in other persons or businesses and of material transactions between the parties.

4. The director shall require each title insurer, agency, and agent to file on forms prescribed by the director reports setting forth the names and addresses of those persons, if any, that have a financial interest in the insurer, agency, or agent and who the insurer, agency, or agent knows or has reason to believe are producers of title insurance business or associates of producers, except the duty to report shall not include shareholders of record of any publicly traded insurer.

5. Nothing in this chapter shall be construed as prohibiting affiliated business arrangements in the provision of title insurance business so long as:

- (1) The title insurer, title agency, title agent, or party making a referral constituting affiliated business, at or prior to the time of the referral, discloses the arrangement and, in connection with the referral, provides the person being referred with a written estimate of the charge or range of charges likely to be assessed and otherwise complies with the disclosure obligations of this section;
- (2) The person being referred is not required to use a specified title insurer, agency, or agent; and
- (3) The only thing of value that is received by the title insurer, agency, agent, or party making the referral, other than payments otherwise permitted, is a return on an ownership interest. For purposes of this

subsection, the terms "required use" and "return on an ownership interest" shall have the meaning accorded to them under the Real Estate Settlement Procedures Act (RESPA), as amended.

6. A violation of any provision under this section is a level two violation under section 374.049, RSMo.

381.038. 1. For the purposes of this section, the term "direct operations" means that portion of a title insurer's operations which are attributable to business written by a bona fide employee.

2. Records relating to escrow and security deposits shall be preserved and retained by a title insurer engaged in direct operations, title agency, and title agent for as long as appropriate to the circumstances but, in no event less than seven years after the escrow or security deposit account has been closed.

3. A title agent and a title agency shall remit premiums to the title insurer under the term of its agency contract, but in no event later than within sixty days of receiving an invoice from the title insurer. A title insurer, title agency, or title agent shall promptly issue each title insurance policy within forty-five days after compliance with the requirements of the commitment for insurance, unless special circumstances as defined by rule delay the issuance.

4. This section shall not apply to a title insurer acting as coinsurer if one of the other coinsurers has complied with this section, and shall not apply to a reinsurer.

5. A violation of any provision under this section is a level two violation under section 374.049, RSMo.

381.042. 1. The director under the authority in section 374.045, RSMo, may issue rules, regulations, and orders necessary to carry out the provisions of this chapter.

2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2008, shall be invalid and void.

381.045. 1. If the director determines that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission or course of business constituting a violation in this chapter or a rule adopted or order issued pursuant thereto, or a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in this chapter or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. The director may also suspend or revoke the license of a producer under section 375.141, RSMo, or the certificate of authority of any title insurer as authorized under section 374.047, RSMo, for any such willful violation.

2. If the director believes that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission or course of business constituting a violation in this chapter or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in this chapter or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo.

3. Nothing contained in this section shall affect the right of the director to impose any other penalties provided for in the laws relating to the business of insurance.

4. Nothing contained in this chapter is intended to or shall in any other manner limit or restrict the rights of policyholders, claimants, and creditors.

381.048. 1. The director may bring an action against any title insurer, title agency, title agent, or any director, officer, agent, employee, trustee, or affiliate of a title insurer, title agency, or title agent in a court of competent jurisdiction to enjoin violations of the Real Estate Settlement Procedures Act, 12 U.S.C. Section 2607, as amended.

2. A violation of any provision under the federal Real Estate Settlement Procedures Act, as amended, is a level two violation under section 374.049, RSMo.

381.052. No person other than a domestic, foreign, or non-United States title insurer organized on the stock plan and duly licensed by the director shall transact title insurance business as an insurer in this state.

381.055. Subject to the exceptions and restrictions contained in this chapter, a title insurer shall have the power to:

- (1) Do only title insurance business; and
- (2) Reinsure title insurance policies.

381.058. 1. No insurer that transacts any class, type, or kind of business other than title insurance shall be eligible for the issuance or renewal of a license to transact the business of title insurance in this state nor shall title insurance be transacted, underwritten, or issued by any insurer transacting or licensed to transact any other class, type, or kind of business.

2. A title insurer shall not engage in the business of guaranteeing payment of the principal or the interest of bonds or mortgages.

3. (1) Notwithstanding subsection 1 of this section or anything else to the contrary in sections 381.011 to 381.405, a title insurer is expressly authorized to issue closing or settlement protection letters (and to collect a fee for such issuance) in all transactions where its title insurance policies are issued and where its issuing agent or agency is performing settlement services and shall do so in favor of and upon request by the applicable buyer, lender, or seller in such transaction. Such closing or settlement protection letter form shall be filed with the director under section 381.085 and shall conform to the terms of coverage and form of instrument as required by rule of the director and shall indemnify a buyer, lender, or seller solely against losses not to exceed the amount of the settlement funds only because of the following acts of the title insurer's named issuing title agency or title agent:

- (a) Acts of theft of settlement funds or fraud with regard to settlement funds; and
- (b) Failure to comply with written closing instructions by the proposed insured when agreed to by the title agency or title agent relating to title insurance coverage.

(2) The rate for issuance of a closing or settlement protection letter in a residential real estate transaction indemnifying a lessee or purchaser of an interest in land, a borrower, or a lender secured by a mortgage, including any other security instrument, of an interest in land shall be filed as a rate with the director.

(3) The rate for issuance of a closing or settlement protection letter in a residential real estate transaction indemnifying a seller of an interest in land shall be filed as a separate rate with the director.

(4) Such filed rate shall not be excessive or inadequate. The entire rate for the closing or settlement protection letter shall be retained by the title insurer.

(5) Except as provided under this section or section 381.403, a title insurer shall not provide any other coverage which purports to indemnify against improper acts or omissions of a person with regard to escrow, settlement, or closing services.

381.062. Any title insurer authorized to do an insurance business in this state, shall establish and maintain a minimum paid-in capital of not less than four hundred thousand dollars and, in addition, surplus of at least four hundred thousand dollars. Beginning January 1, 2013, any title insurer authorized to do an insurance business in this state, shall establish and maintain a minimum paid-in capital of not less than eight hundred thousand dollars and, in addition, surplus of at least eight hundred thousand dollars.

381.065. 1. The net retained liability of a title insurer for a single risk in regard to real property located in this state, or in regard to a title insurance policy issued in this state and insuring personal property, whether assumed directly or as reinsurance, shall not exceed the aggregate of fifty percent of surplus as regards policyholders plus the statutory premium reserve less the company's investment in title plants, all as shown in the most recent annual statement of the insurer on file with the director.

2. For purposes of this chapter:

- (1) A single risk shall be the insured amount of any title insurance policy, except that, where two or more title insurance policies are issued simultaneously covering different estates in the same property, a single risk shall be the sum of the insured amounts of all the title insurance policies; and

(2) A policy under which a claim payment reduces the amount of insurance under one or more other title insurance policies shall be included in computing the single risk sum only to the extent that its amount exceeds the aggregate amount of the policy or policies whose amount of insurance is reduced.

3. A title insurer may obtain reinsurance for all or any part of its liability under its title insurance policies or reinsurance agreements and may also reinsure title insurance policies issued by other title insurers on single risks located in this state or elsewhere. Reinsurance on policies issued on real property located in this state, or on policies issued in this state and insuring personal property, may be obtained from any title insurers licensed to transact title insurance business in this state, any other state, or the District of Columbia and which have a combined capital and surplus of at least one million six hundred thousand dollars.

4. The director may waive the limitation of this section for a particular risk upon application of the title insurer and for good cause shown.

381.068. In determining the financial condition of a title insurer doing business under this chapter, the general investment provisions of sections 379.080 to 379.082, RSMo, shall apply; except that, an investment in a title plant or plants in an amount equal to the actual cost shall be allowed as an admitted asset for title insurers. The aggregate amount of the investment shall not exceed twenty percent of surplus to policyholders, as shown on the most recent annual statement of the title insurer on file with the director.

381.072. 1. In determining the financial condition of a title insurer doing business under this chapter, the general provisions of the laws regulating the business of insurance requiring the establishment of reserves sufficient to cover all known and unknown liabilities including allocated and unallocated loss adjustment expense, shall apply; except that, a title insurer shall establish and maintain:

(1) (a) A known claim reserve in an amount estimated to be sufficient to cover all unpaid losses, claims, and allocated loss adjustment expenses arising under title insurance policies for which the title insurer may be liable, and for which the insurer has discovered or received notice by or on behalf of the insured or escrow or security depositor;

(b) Upon receiving notice from or on behalf of the insured of a title defect in or lien or adverse claim against the title of the insured that may result in a loss or cause expense to be incurred in the proper disposition of the claim, the title insurer shall determine the amount to be added to the reserve, which amount shall reflect a careful estimate of the loss or loss expense likely to result by reason of the claim;

(c) Reserves required under this section may be revised from time to time and shall be redetermined at least once each year;

(2) A statutory or unearned premium reserve established and maintained as follows:

(a) A domestic title insurer shall establish and maintain an unearned premium reserve computed in accordance with this section, and all sums attributed to such reserve shall at all times and for all purposes be considered and constitute unearned portions of the original premiums. This reserve shall be reported as a liability of the title insurer in its financial statements;

(b) The unearned premium reserve shall be maintained by the title insurer for the protection of holders of title insurance policies. Except as provided in this section, assets equal in value to the reserve are not subject to distribution among creditors or stockholders of the title insurer until all claims of policyholders or claims under reinsurance contracts have been paid in full, and all liability on the policies or reinsurance contracts has been paid in full and discharged or lawfully reinsured;

(c) The unearned premium reserve shall consist of:

a. The amount of the unearned premium reserve on January 1, 2008;

b. A sum equal to fifteen cents for each one thousand dollars of net retained liability under each title insurance policy, excluding mortgagee's policies simultaneously issued with owner's policies or owner's leasehold policies of the same or greater amount, on a single risk written on properties located in this state and issued after January 1, 2008; and

c. Unearned premium for closing protection letters;

(d) Amounts placed in the unearned premium reserve in any year in accordance with paragraph (c) of this subdivision shall be deducted in determining the net profit of the title insurer for that year;

(e) A title insurer shall release from the unearned premium reserve a sum equal to ten percent of the amount added to the reserve during a calendar year on July first of each of the five years following the year in which the sum was added, and shall release from the unearned premium reserve a sum equal to three and one-

third percent of the amount added to the reserve during that year on each succeeding July first until the entire amount for that year has been released. The amount of the unearned premium reserve or similar unearned premium reserve maintained before January 1, 2008, shall be released in accordance with the law in effect immediately before January 1, 2008;

(f) a. Each domestic and foreign title insurer shall file annually with the audited financial report required under section 375.1032, RSMo, an actuarial certificate made by a member in good standing of the American Academy of Actuaries, or by an actuary permitted to make such certificate by the commissioner, superintendent or director of the department of insurance of the state of incorporation of a foreign title insurer;

b. The actuarial certification shall conform to the annual statement instructions for title insurers adopted by the National Association of Insurance Commissioners and shall include the actuary's professional opinion of the insurer's reserves as of the date of the annual statement. The reserves analyzed under this section shall include reserves for known claims, including adverse developments on known claims, and reserves for incurred but not reported claims;

(g) Each domestic and foreign title insurer shall establish a supplemental reserve in the amount by which the actuarially certified reserves exceed the total of the known claim reserve and statutory premium reserve as set forth in the title insurer's annual financial report, subject to this subdivision.

2. A foreign or alien title insurer licensed to transact title insurance business in this state shall maintain at least the same reserves on title insurance policies issued on properties located in this state as are required of domestic title insurers, unless the laws of the jurisdiction of domicile of the foreign or alien title insurer require a higher amount.

381.075. 1. Sections 375.570 to 375.750, RSMo, and sections 375.1150 to 375.1246, RSMo, shall apply to all title insurers subject to this chapter, except as otherwise provided in this section. In applying such sections, the court shall consider the unique aspects of title insurance and shall have broad authority to fashion relief that provides for the maximum protection of the title insurance policyholders.

2. Security and escrow funds held by or on behalf of the title insurer shall not become general assets and shall be administered as secured claims as defined in section 375.1152, RSMo.

3. Title insurance policies that are in force at the time an order of liquidation is entered shall not be canceled except upon a showing to the court of good cause by the liquidator. The determination of good cause shall be within the discretion of the court. In making this determination, the court shall consider the unique aspects of title insurance and all other relevant circumstances.

4. The court may set appropriate dates that potential claimants must file their claims with the liquidator. The court may set different dates for claims based upon the title insurance policy than for all other claims. In setting dates, the court shall consider the unique aspects of title insurance and all other relevant circumstances.

5. As of the date of the order of insolvency or liquidation, all premiums paid, due or to become due under policies of the title insurers, shall be fully earned. It shall be the obligation of title agencies, title agents, insureds, or representatives of the title insurer to pay fully earned premium to the liquidator or rehabilitator.

381.085. 1. As used in sections 381.011 to 381.412, the terms "search", "search of the public records", or "search of title", mean a search of those records established by the laws of this state for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

2. A title insurer shall not deliver or issue for delivery or permit any of its authorized title agencies or title agents to deliver in this state, any standard form providing coverage, in connection with title insurance written, unless the standard form has been filed with the director thirty days prior to use.

3. Forms covered by this section shall include:

- (1) Title insurance policies, including standard form endorsements;
- (2) Title insurance commitments issued prior to the issuance of a title insurance policy; and
- (3) Closing or settlement protection letters.

4. Any term or condition related to an insurance coverage provided by a title insurance policy or any exception to the coverage, except exceptions ascertained from, or affirmative coverages offered as a result of, a search and examination of records relating to a title or inspection or survey of a property to be insured, may only be included in the policy after the term, condition or exception has been filed with the director as herein provided.

5. The director shall review such form, term, condition, or exception within thirty days. If within this time the director believes the form, term, condition, or exception is not in compliance with the insurance laws of

this state or does not contain such words, phraseology, conditions, and provisions which are specific, certain, and unambiguous and reasonably adequate to meet the needed requirements of those insured under such policies, the director may schedule a hearing to be held within sixty days and at such hearing receive evidence and suggestions of law on the matter.

6. If the director determines after a hearing that a form, term, condition, or exception shall be disapproved, the director shall issue an order disapproving the form, term, condition, or exception in a record and with findings of fact and conclusions of law in accordance with the provisions of chapter 536, RSMo. A final order may not be issued unless the director specifies the provisions of law that have not been complied with or the words, phraseology, conditions, or provisions which are not specific, certain and unambiguous and reasonably adequate to meet the needed requirement of those insured under such policies. A final order of disapproval is subject to judicial review under the provisions of chapter 536, RSMo. During the pending of any proceeding under this section, all such forms may be used, but this provision shall not deprive the director or department of any other enforcement power over such forms that may be otherwise provided by law.

7. The failure of the director to seek disapproval does not constitute an approval or endorsement of the form, term, condition, or exception by the director. It is unlawful to make any representation that the director has approved a form, term, condition, or exception filed under this section.

381.112. For purposes of the premium tax imposed by sections 148.320 and 148.340, RSMo, the premium income received by a title insurer shall mean the amount within the definition of "premium".

381.115. 1. It is unlawful for any person to transact the business of title insurance unless authorized as a title insurer, title agency or title agent;

2. It is unlawful for any person to transact business as:

(1) A title agency, unless the person is a licensed business entity insurance producer under subsection 2 of section 375.015, RSMo; or

(2) A title agent, unless the person is a licensed individual insurance producer under subsection 1 of section 375.015, RSMo, or is exempt from licensure under subsection 3 of this section.

3. A salaried employee of a title insurer, title agency, or title agent is exempt from licensure as a title agent if the employee does not materially perform or supervise others who perform any of the following:

- (1) Sell, solicit, or negotiate a title insurance policy or closing protection letter;
- (2) Calculate premiums for a title insurance policy or closing protection letter;
- (3) Determine insurability;
- (4) Establish, calculate, or negotiate title charges;
- (5) Conduct title search or examinations;
- (6) Execute title insurance policies, commitments, binders or endorsements; or
- (7) Handle escrows, settlements, or closings.

4. It is unlawful for any title insurer to contract with any person to act in the capacity of a title agency or title agent with respect to risks located in this state unless the person is licensed as required in this section.

5. The director shall adopt rules, regulations, or requirements relating to licensing and practices of persons acting in the capacity of title agencies or agents. These persons may include title agencies, title agents and employees of title insurers, or title agencies. Such rules, regulations, or requirements shall, until at least January 1, 2010, permit either provisional licensure or waiver of licensure for employees newly performing functions described in subsection 3 of this section, while under the direct supervision of a licensed insurance producer during the first six months of such employee's initial employment. This subsection is not intended to require licensure of persons performing a clerical function under the direct supervision and direction of a licensed insurance producer.

6. Every title agency licensed in this state shall:

(1) Exclude or eliminate the word insurer, insurance company, or underwriter from its business name, unless the word agency is also included as part of the name; and

(2) Provide, in a timely fashion, each title insurer with which it places business, any information the title insurer requests in order to comply with reporting requirements of the director.

7. A title agency or title agent licensed in this state prior to the effective date of this chapter shall have ninety days after the effective date of this chapter to comply with the requirements of this section.

8. If the title insurer, title agency, or title agent delegates the title search to a third party, such as an abstract company, the insurer, agency, or agent must first obtain proof that the third party is operating in compliance with rules and regulations established by the director and the third party shall provide the insurer, agency, or agent with access to and the right to copy all accounts and records maintained by the third party with respect to business placed with the title insurer. Proof from the third party may consist of a signed statement indicating compliance, and shall be effective for a three-year period.

9. A violation of any provision under this section is a level three violation under section 374.049, RSMo.

381.118. 1. Each title agency shall designate an individual as a qualified principal, who as a condition of licensure, shall successfully pass an examination developed by the producer advisory board established by section 375.019, RSMo, and approved by the director. Each title agent shall successfully pass an examination developed by the producer advisory board and approved by the director. Upon request by a title agency or agent and for good cause, the director, by order, may waive the requirements of this subsection. The examination requirement in this subsection shall be waived for all title agents and qualified principals who are licensed in this state as of January 1, 2008.

2. Each title agent licensed to sell title insurance in this state, unless exempt under subsection 8 of this section, shall successfully complete courses of study as required by this section. Any person licensed to act as a title agent shall, during each two years, attend courses or programs of instruction or attend seminars equivalent to a minimum of eight hours of instruction. The initial such two-year period shall begin January 1, 2008.

3. Subject to approval by the director, the courses or programs of instruction which shall be deemed to meet the director's standards for continuing educational requirements shall include, but not be limited to, the following:

(1) A real property law or title insurance-related course taught by an accredited college or university or qualified instructor who has taught a course of real property or title insurance law at such institution;

(2) A course or program of instruction or seminar approved by the director developed or sponsored by any authorized insurer, recognized agents' association, title insurance trade association, or approved private provider. A local agents' group may also be approved if the instructor receives no compensation for services;

(3) Courses approved for continuing legal education credit by the Missouri Bar.

4. A person teaching any approved course of instruction or lecturing at any approved seminar without compensation shall qualify for one and one-half times the number of classroom hours as would be granted to a person taking and successfully completing such course, seminar or program, but the credit may be credited no more than once a year.

5. Excess classroom hours accumulated during any two-year period may be carried forward to the two-year period immediately following the two-year period in which the course, program, or seminar was held.

6. For good cause shown, the director may grant an extension of time during which the educational requirements imposed by this section may be completed, but such extension of time shall not exceed the period of one calendar year. The director may grant an individual waiver of the mandatory continuing education requirement upon a showing by the licensee that it is not feasible for the licensee to satisfy the requirements prior to the renewal date. Waivers may be granted for reasons including, but not limited to:

(1) Serious physical injury or illness;

(2) Active duty in the armed services for an extended period of time;

(3) Residence outside the United States; or

(4) Licensee is at least seventy years of age and is currently licensed as a title agent.

7. Every person subject to the provisions of this section shall furnish in a form satisfactory to the director, written certification as to the courses, programs, or seminars of instruction taken and successfully completed by such person.

8. The provisions of this section shall not apply to those natural persons holding or applying for a license to act as a title agent in Missouri who reside in a state that has enacted and implemented a mandatory continuing education law or regulation pertaining to title agents. However, those natural persons holding or applying for a Missouri agent license who reside in states which have no mandatory continuing education law or regulations shall be subject to all the provisions of this section to the same extent as resident Missouri title agents.

9. Rules necessary to implement and administer this section shall be promulgated by the director, including, but not limited to, rules regarding the following:

(1) The producer advisory board established by section 375.019, RSMo, shall be utilized by the director to assist the director in determining acceptable content of courses, programs and seminars to include classroom equivalency;

(2) Every applicant seeking approval by the director of a continuing education course under this section shall pay to the director a filing fee of fifty dollars per course, except that such total fee shall not exceed two hundred fifty dollars per year for any single applicant. Fees shall be waived for local agents' groups if the instructor receives no compensation for services. Such fee shall accompany any application form required by the director. Courses shall be approved for a period of no more than one year. Applicants holding courses intended to be offered for a longer period must reapply for approval.

10. All funds received under the provisions of this section shall be transmitted by the director to the department of revenue for deposit in the state treasury to the credit of the insurance dedicated fund. All expenditures required by this section shall be paid from funds appropriated from the insurance dedicated fund by the general assembly.

11. When a title agent pays his or her biennial renewal fee, such agent shall also furnish the written certification required by this section.

12. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created pursuant to the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2008, shall be invalid and void.

381.122. The director may during normal business hours examine, audit and inspect any and all books and records maintained by a title insurer, title agency, or title agent under this chapter.

381.161. 1. No producer or other person, except the person paying the premium for the title insurance, shall require, directly or indirectly, or through any trustee, director, officer, agent, employee, or affiliate, as a condition, agreement, or understanding to selling or furnishing any other person any loan, or extension thereof, credit, sale, property, contract, lease or service, that such other person shall place, any contract of title insurance of any kind through any particular title agent, agency, or title insurer. No title agent, agency, or title insurer shall knowingly participate in any such prohibited plan or transaction. No person shall fix a price charged for such thing or service, or discount from or rebate upon price, on the condition, agreement, or understanding that any title insurance is to be obtained through a particular agent, agency, or title insurer.

2. [Any person who violates the provisions of this section, or any title insurer, title agent, or agency who accepts an order for title insurance knowing that it is in violation of the provision of this section shall, in addition to any other action which may be taken by the director, be subject to a fine in an amount equal to five times the premium for the title insurance.] **A violation of any provision under this section is a level three violation under section 374.049, RSMo.**

381.410. As used in this section and section 381.412, the following terms mean:

(1) "Cashier's check", a check, however labeled, drawn on the financial institution, which is signed only by an officer or employee of such institution, is a direct obligation of such institution, and is provided to a customer of such institution or acquired from such institution for remittance purposes;

(2) "Certified funds", United States currency, funds conveyed by a cashier's check, certified check, teller's check, as defined in Federal Reserve Regulations CC, or wire transfers, including written advice from a financial institution that collected funds have been credited to the settlement agent's account;

(3) "Director", the director of the department of insurance, financial and professional regulation, unless the settlement agent's primary regulator is the division of finance. When the settlement agent is regulated by such division, that division shall have jurisdiction over this section and section 381.412;

(4) "Financial institution":

(a) A person or entity doing business under the laws of this state or the United States relating to banks, trust companies, savings and loan associations, credit unions, commercial and consumer finance companies, industrial loan companies, insurance companies, small business investment corporations licensed under the Small

Business Investment Act of 1958, 15 U.S.C. Section 661, et seq., as amended, or real estate investment trusts as defined in 26 U.S.C. Section 856, as amended, or institutions constituting the Farm Credit System under the Farm Credit Act of 1971, 12 U.S.C. Section 2000, et seq., as amended; or

(b) A mortgage loan company or mortgage banker doing business under the laws of this state or the United States which is subject to licensing, supervision, or auditing by the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, or the United States Veterans' Administration, or the Government National Mortgage Association, or the United States Department of Housing and Urban Development, or a successor of any of the foregoing agencies or entities, as an approved seller or servicer, if their principal place of business is in Missouri or a state which is contiguous to Missouri;

(5) "Settlement agent", a person, corporation, partnership, or other business organization which accepts funds and documents as fiduciary for the buyer, seller or lender for the purposes of closing a sale of an interest in real estate located within the state of Missouri, and is not a financial institution, or a member in good standing of the Missouri Bar, or a person licensed under chapter 339, RSMo.

381.412. 1. A settlement agent who accepts funds for closing a sale of an interest in real estate shall require a buyer, seller, or lender who is not a financial institution to convey such funds to the settlement agent as certified funds. A check shall be exempt from the provisions of this section if drawn on:

(1) An escrow account of a licensed real estate broker, as regulated and described in section 339.105, RSMo; or

(2) An escrow account of a title insurer or title insurance agency licensed to do business in Missouri; or

(3) An agency of the United States of America, the state of Missouri, or any county or municipality of the state of Missouri; or

(4) An account by a financial institution.

2. It is unlawful for any title insurer, title agency, or title agent, as defined in section 381.009, to make any payment, disbursement or withdrawal from an escrow account which it maintains as a depository of funds received from the public for the settlement of real estate transactions unless a corresponding deposit of funds was made to the escrow account for the benefit of the payee or payees:

(1) At least ten days prior to such payment, disbursement, or withdrawal; or

(2) Which consisted of certified funds; or

(3) Consisted of a check made exempt from this section by the provisions of subsection 1 of this section.

3. A violation of any provision of this section is a level two violation under section 374.049, RSMo."; and

Further amend said bill, Page 58, Section 409.950, by inserting after all of said section the following:

"Section B. The repeal and enactment of Sections 381.003 through 381.412 of Section A of this act is effective January 1, 2008.

[381.003. 1. Sections 381.003 to 381.125 shall be known and may be cited as the "Missouri Title Insurance Act".

2. Sections 381.009 to 381.048 shall apply to all persons engaged in the business of title insurance in this state. Sections 381.052 to 381.112 shall apply to all title insurers engaged in the business of title insurance in this state. Sections 381.115 to 381.125 shall apply to all title agencies engaged in the business of title insurance in this state.

3. Except as otherwise expressly provided in this chapter and except where the context otherwise requires, all provisions of the insurance code applying to insurance and insurance companies generally shall apply to title insurance, title insurers and title agents.]

[381.009. As used in this chapter, the following terms mean:

(1) "Abstract of title" or "abstract", a written history, synopsis or summary of the recorded instruments affecting the title to real property;

(2) "Affiliate", a specific person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified;

(3) "Affiliated business", any portion of a title insurance agency's business written in this state that was referred to it by a producer of title insurance business or by an associate of the producer, where the producer or associate, or both, have a financial interest in the title agency;

(4) "Associate", any:

(a) Business organized for profit in which a producer of title business is a director, officer, partner, employee or an owner of a financial interest;

(b) Employee of a producer of title business;

(c) Franchisor or franchisee of a producer of title business;

(d) Spouse, parent or child of a producer of title insurance business who is a natural person;

(e) Person, other than a natural person, that controls, is controlled by, or is under common control with, a producer of title business;

(f) Person with whom a producer of title insurance business or any associate of the producer has an agreement, arrangement or understanding, or pursues a course of conduct, the purpose or effect of which is to provide financial benefits to that producer or associate for the referral of business;

(5) "Bona fide employee of the title insurer", an individual who devotes substantially all of his or her time to performing services on behalf of a title insurer and whose compensation for those services is in the form of salary or its equivalent paid by the title insurer;

(6) "Control", including the terms "controlling", "controlled by" and "under common control with", the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise, unless the power is the result of an official position or corporate office held by the person. Control shall be presumed to exist if a person, directly or indirectly, owns, controls, holds with the power to vote or holds proxies representing ten percent or more of the voting securities of another person. This presumption may be rebutted by showing that control does not exist in fact. The director may determine, after furnishing all persons in interest notice and opportunity to be heard and making specific findings of fact to support the determination, that control exists in fact, notwithstanding the absence of a presumption to that effect;

(7) "County" or "counties" includes any city not within a county;

(8) "Direct operations", that portion of a title insurer's operations which are attributable to business written by a bona fide employee;

(9) "Director", the director of the department of insurance, or the director's representatives;

(10) "Escrow", written instruments, money or other items deposited by one party with a depository, escrow agent or escrowee for delivery to another party upon the performance of a specified condition or the happening of a certain event;

(11) "Escrow, settlement or closing fee", the consideration for supervising or handling the actual execution, delivery or recording of transfer and lien documents and for disbursing funds;

(12) "Financial interest", a direct or indirect legal or beneficial interest, where the holder is or will be entitled to five percent or more of the net profits or net worth of the entity in which the interest is held;

(13) "Foreign title insurer", any title insurer incorporated or organized pursuant to the laws of any other state of the United States, the District of Columbia, or any other jurisdiction of the United States;

(14) "Geographically indexed or retrievable", a system of keeping recorded documents which includes as a component a method for discovery of the documents by:

(a) Searching an index arranged according to the description of the affected land; or

(b) An electronic search by description of the affected land;

(15) "Net retained liability", the total liability retained by a title insurer for a single risk, after taking into account any ceded liability and collateral, acceptable to the director, and maintained by the insurer;

(16) "Non-United States title insurer", any title insurer incorporated or organized pursuant to the laws of any foreign nation or any province or territory;

(17) "Premium", the consideration paid by or on behalf of the insured for the issuance of a title insurance policy or any endorsement or special coverage. It does not include consideration paid for settlement or escrow services or noninsurance-related information services;

(18) "Producer", any person, including any officer, director or owner of five percent or more of the equity or capital of any person, engaged in this state in the trade, business, occupation or profession of:

- (a) Buying or selling interests in real property;
- (b) Making loans secured by interests in real property; or
- (c) Acting as broker, agent, representative or attorney of a person who buys or sells any interest in real property or who lends or borrows money with the interest as security;

(19) "Qualified depository institution", an institution that is:

(a) Organized or, in the case of a United States branch or agency office of a foreign banking organization, licensed pursuant to the laws of the United States or any state and has been granted authority to operate with fiduciary powers;

(b) Regulated, supervised and examined by federal or state authorities having regulatory authority over banks and trust companies;

(c) Insured by the appropriate federal entity; and

(d) Qualified under any additional rules established by the director;

(20) "Referral", the directing or the exercising of any power or influence over the direction of title insurance business, whether or not the consent or approval of any other person is sought or obtained with respect to the referral;

(21) "Search", "search of the public records" or "search of title", a search of those records established by the laws of this state for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge;

(22) "Security" or "security deposit", funds or other property received by the title insurer as collateral to secure an indemnitor's obligation under an indemnity agreement pursuant to which the insurer is granted a perfected security interest in the collateral in exchange for agreeing to provide coverage in a title insurance policy for a specific title exception to coverage;

(23) "Subsidiary", an affiliate controlled by a person directly or indirectly through one or more intermediaries;

(24) "Title agency" means an authorized person who issues title insurance on behalf of a title insurer. An attorney licensed to practice law in this state who issues title insurance as a part of his or her law practice, but does not maintain or operate a title insurance business separate from such law practice is not a title agency;

(25) "Title agent" or "agent", an attorney licensed to practice law in this state who issues title insurance as part of his or her law practice, but who is not affiliated with or acting on behalf of a title agency, or an authorized person who, on behalf of a title agency or on behalf of a title agent not affiliated with a title agency, performs one or more of the following acts in conjunction with the issuance of a title insurance commitment or policy:

(a) Determines insurability, based upon a review of a search of title;

(b) Performs searches;

(c) Handles escrows, settlements or closings; or

(d) Solicits or negotiates title insurance business;

(26) "Title insurance business" or "business of title insurance":

(a) Issuing as insurer or offering to issue as insurer a title insurance policy;

(b) Transacting or proposing to transact by a title insurer any of the following activities when conducted or performed in contemplation of and in conjunction with the issuance of a title insurance policy:

a. Soliciting or negotiating the issuance of a title insurance policy;

b. Guaranteeing, warranting or otherwise insuring the correctness of title searches for all instruments affecting titles to real property, any interest in real property, cooperative units and proprietary leases and for all liens or charges affecting the same;

c. Handling of escrows, settlements or closings;

d. Executing title insurance policies;

- e. Effecting contracts of reinsurance; or
- f. Abstracting, searching or examining titles;
- (c) Guaranteeing, warranting or insuring searches or examinations of title to real property or any interest in real property;
- (d) Guaranteeing or warranting the status of title as to ownership of or liens on real property by any person other than the principals to the transaction;
- (e) Promising to purchase or repurchase for consideration an indebtedness because of a title defect, whether or not involving a transfer of risk to a third person; or
- (f) Promising to indemnify the holder of a mortgage or deed of trust against loss from the failure of the borrower to pay the mortgage or deed of trust when due if the property fails to yield sufficient proceeds upon foreclosure to satisfy the debt, when one or both of the following conditions exist:
 - a. The security has been impaired by the discovery of a previously unknown property interest in favor of one who is not liable for the payment of the mortgage or deed of trust; or
 - b. Perfection of the position of the mortgage or deed of trust which was assured to exist cannot be obtained, notwithstanding timely recordation with the recorder of deeds of the county in which the property is located; or
 - (g) Doing or proposing to do any business substantially equivalent to any of the activities listed in this subdivision in a manner designed to evade the provisions of this chapter;
- (27) "Title insurance commitment" or "commitment", a preliminary report, commitment or binder issued prior to the issuance of a title insurance policy containing the terms, conditions, exceptions and other matters incorporated by reference under which the title insurer is willing to issue its title insurance policy. A title insurance commitment is not an abstract of title;
- (28) "Title insurance policy" or "policy", a contract insuring or indemnifying owners of, or other persons lawfully interested in, real property or any interest in real property, against loss or damage arising from any or all of the following conditions existing on or before the policy date and not excepted or excluded:
 - (a) Title to the estate or interest in land being otherwise than as stated in the policy;
 - (b) Defects in or liens or encumbrances on the insured title;
 - (c) Unmarketability of the insured title;
 - (d) Lack of legal right of access to the land;
 - (e) Invalidity or unenforceability of the lien of an insured mortgage;
 - (f) The priority of a lien or encumbrance over the lien of any insured mortgage;
 - (g) The lack of priority of the lien of an insured mortgage over a statutory lien for services, labor or material;
 - (h) The invalidity or unenforceability of an assignment of the insured mortgage; or
 - (i) Rights or claims relating to the use of or title to the land;
- (29) "Title insurer" or "insurer", a company organized pursuant to laws of this state for the purpose of transacting the business of title insurance and any foreign or non-United States title insurer licensed in this state to transact the business of title insurance;
- (30) "Title plant", a set of records encompassing at least the most recent forty-five years, consisting of documents, maps, surveys or entries affecting title to real property or any interest in or encumbrance on the property, which have been filed or recorded in the jurisdiction for which the title plant is established or maintained. The records in the title plant shall be geographically indexed or retrievable as to those records containing a legal description of affected land, and otherwise by name of affected person;
- (31) "Underwrite", the authority to accept or reject risk on behalf of the title insurer.]

[381.011. 1. Sections 381.011 to 381.241 shall be known and may be cited as the "Missouri Title Insurance Act".

2. The purpose of sections 381.011 to 381.241 is to provide the state of Missouri with a comprehensive body of law for the effective regulation and supervision of title insurance business transacted within this state in response to the McCarran-Ferguson Act, Sections 1011-1015, Title 15, United States Code.]

[381.015. 1. When a title insurance commitment issued by a title insurer, title agency or title agent includes an offer to issue an owner's policy covering the resale of owner-occupied residential property, the commitment shall incorporate the following statement in bold type:

"Please read the exceptions and the terms shown or referred to herein carefully. The exceptions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered."

2. A title insurer, title agency or title agent issuing a lender's title insurance policy in conjunction with a mortgage loan made simultaneously with the purchase of all or part of the real estate securing the loan, where no owner's title insurance policy has been requested, shall give written notice, on a form prescribed or approved by the director, to the purchaser-mortgagor at the time the commitment is prepared. The notice shall explain that a lender's title insurance policy is to be issued protecting the mortgage-lender, and that the policy does not provide title insurance protection to the purchaser-mortgagor as the owner of the property being purchased. The notice shall explain what a title policy insures against and what possible exposures exist for the purchaser-mortgagor that could be insured against through the purchase of an owner's policy. The notice shall also explain that the purchaser-mortgagor may obtain an owner's title insurance policy protecting the property owner at a specified cost or approximate cost, if the proposed coverages are or amount of insurance is not then known. A copy of the notice, signed by the purchaser-mortgagor, shall be retained in the relevant underwriting file at least fifteen years after the effective date of the policy.

3. Each violation of any provision of this section is a class C violation as that term is defined in section 381.045.]

[381.018. 1. The title insurer shall not allow the issuance of its commitments or policies by a title agency or title agent not affiliated with a title agency unless there is in force a written contract between the parties which sets forth the responsibilities of each party or, where both parties share responsibility for particular functions, specifies the division of responsibilities.

2. For each title agency or title agent not affiliated with a title agency under contract with the insurer, the title insurer shall have on file a statement of financial condition, of each title agency or title agent as of the end of the previous calendar or fiscal year setting forth an income statement of business done during the preceding year and a balance sheet showing the condition of its affairs as of the close of the prior year, certified by the agency or agent as being a true and accurate representation of the agency's or agent's financial condition. The statement shall be filed with the insurer no later than the date the agency's or agent's federal income tax return for the same year is filed. Attorneys actively engaged in the practice of law, in addition to that related to title insurance business, are exempt from the requirements of this subsection.

3. The title insurer shall conduct reviews of the underwriting, claims and escrow practices of its agencies and agents which shall include a review of the agency's or agent's policy blank inventory and processing operations. If any such title agency or title agent does not maintain separate bank or trust accounts for each title insurer it represents, the title insurer shall verify that the funds held on its behalf are reasonably ascertainable from the books of account and records of the title agency or title agent not affiliated with a title agency. The title insurer shall conduct a review of each of its agencies and agents at least triennially commencing January first of the year first following January 1, 2001.

4. Within thirty days of executing or terminating a contract with a title agency or title agent not affiliated with a title agency, the insurer shall provide notification of the appointment or termination and the reason for termination to the director. Notices of appointment of a title agency or title agent shall be made on a form promulgated by the director.

5. The title insurer shall maintain an inventory of all policy numbers allocated to each title agency or title agent not affiliated with a title agency.

6. The title insurer shall have on file proof that the title agency or title agent is licensed by this state.

7. The title insurer shall establish the underwriting guidelines and, where applicable, limitations on title claims settlement authority to be incorporated into contracts with its agencies and title agents not affiliated with a title agency.

8. Each violation of any provision of this section is a class B violation as that term is defined in section 381.045.]

[381.021. 1. Sections 381.011 to 381.241 shall apply to all persons engaged in the business of title insurance in this state.

2. Except as otherwise expressly provided in sections 381.011 to 381.241, and except where the context otherwise requires, all provisions of the insurance laws of this state applying to insurance and insurance companies generally shall apply to title insurance and title insurance companies. No law of this state enacted after September 28, 1987, that is inconsistent with the provisions of such sections shall be applicable to the business of title insurance unless such law specifically states that it is to be applicable to the business of title insurance.

3. Nothing in sections 381.011 to 381.241 shall be construed to authorize the practice of law by any person who is not duly admitted to practice law in this state nor shall it be construed to authorize the director to regulate the practice of law or the sale of real estate.]

[381.022. 1. A title insurer, title agency or title agent not affiliated with a title agency may operate as an escrow, security, settlement or closing agent, provided that:

(1) All funds deposited with the title insurer, title agency or title agent not affiliated with a title agency in connection with any escrow, settlement, closing or security deposit shall be submitted for collection to or deposited in a separate fiduciary trust account or accounts in a qualified depository institution no later than the close of the next business day after receipt, in accordance with the following requirements:

(a) The funds shall be the property of the person or persons entitled to them under the provisions of the escrow, settlement, security deposit or closing agreement and shall be segregated for each depository by escrow, settlement, security deposit or closing in the records of the title insurer, title agency or title agent not affiliated with a title agency, in a manner that permits the funds to be identified on an individual basis and in accordance with the terms of the individual instructions or agreements under which the funds were accepted; and

(b) The funds shall be applied only in accordance with the terms of the individual instructions or agreements under which the funds were accepted;

(2) Funds held in an escrow account shall be disbursed only pursuant to a written instruction or agreement specifying under what conditions and to whom such funds may be disbursed or pursuant to an order of a court of competent jurisdiction;

(3) Funds held in a security deposit account shall be disbursed only pursuant to a written agreement specifying:

(a) What actions the indemnitor shall take to satisfy his or her obligation under the agreement;

(b) The duties of the title insurer, title agency or title agent not affiliated with a title agency with respect to disposition of the funds held, including a requirement to maintain evidence of the disposition of the title exception before any balance may be paid over to the depositing party or his or her designee; and

(c) Any other provisions the director may require;

(4) Any interest received on funds deposited in connection with any escrow, settlement, security deposit or closing may be retained by the title insurer, title agency or title agent not affiliated with a title agency as compensation for administration of the escrow or security deposit, unless the instructions for the funds or a governing statute provides otherwise;

(5) Each violation of this subsection is a class A violation as that term is defined in section 381.045.

2. The title agency or title agent not affiliated with an agency shall cooperate with its underwriters in the conduct by the underwriters of reviews of the agency's or agent's escrow, settlement, closing and security deposit accounts. The title insurer shall provide a copy of the report of each such review it performs to the director. The director may promulgate rules setting forth the minimum threshold level at which a review would be required, the standards thereof and the form of report required.

3. If the title agency or title agent not affiliated with an agency is appointed by two or more title insurers and maintains fiduciary trust accounts in connection with providing escrow or closing settlement services, the title agency or title agent shall allow each title insurer reasonable access to the accounts and any or all of the supporting account information in order to ascertain the safety and security of the funds held by the title agency or title agent.

4. (1) Nothing in this chapter shall be deemed to prohibit the recording of documents prior to the time funds are available for disbursement with respect to a transaction in which a title insurer, title agency or title agent not affiliated with a title agency is the settlement agent, provided all parties to whom payment will become due upon such recording consent thereto in writing.

(2) The settlement agent shall record all deeds and security instruments for real estate closings handled by it within three business days after completion of all conditions precedent thereto.

(3) Each violation of this subsection is a class C violation as that term is defined in section 381.045.]

[381.025. 1. A title insurer, title agency, title agent or other person shall not give or receive, directly or indirectly, any consideration for the referral of title insurance business or escrow or other service provided by a title insurer, title agency or title agent. Each violation of this subsection is a class A violation as that term is defined in section 381.045.]

2. Any title insurer, title agency or title agent doing business in the same county as a title insurer, title agency or title agent who may be in violation of the prohibitions or limitations of this section shall have standing to seek injunctive relief against the violating title insurer, title agency or title agent in the event the department declines or fails to enforce this section within forty-five days following receipt of written notice of such violation. In any action pursuant to this subsection, the court may award to the successful party the court costs of the action together with reasonable attorney fees.]

[381.028. No title insurer, title agency or title agent shall participate in any transaction in which it knows that a producer or other person requires, directly or indirectly, or through any trustee, director, officer, agent, employee or affiliate, as a condition, agreement or understanding to selling or furnishing any other person a loan, or loan extension, credit, sale, property, contract, lease or service, that the other person shall place a title insurance policy of any kind with the title insurer or through a particular title agency or agent. Each violation of this section is a class A violation as that term is defined in section 381.045.]

[381.032. 1. No title insurer, may charge any rates regulated by the state after January 1, 2001, except in accordance with the premium rate schedule and manual filed with and approved by the director in accordance with applicable statutes and regulations governing rate filings. Premium rate schedules in effect prior to January 1, 2001, may be used until new rate schedules have been approved by the director. Title insurers shall file their premium rate schedules within thirty days after January 1, 2001. Each violation of this subsection is a class C violation as that term is defined in section 381.045. Nothing in this section shall prevent an agent not affiliated with an agency from charging for services that constitute the practice of law at the customary fee charged by such person for legal services. To the extent the premium fails to compensate the agent at such rate, the agent may render an additional bill for such services on behalf of the agent's law practice or law firm. The acceptance of any part of the premium by the law firm of said agent shall not be a violation of any provision of the Missouri title insurance act or the general insurance statutes, regulations or bulletins regarding payment of commissions to nonlicensed entities.]

2. The director may establish rules, including rules providing statistical plans, for use by all title insurers, title agencies and title agents in the recording and reporting of revenue, loss and expense experience in such form and detail as is necessary to aid the director in the establishment of rates and fees.

3. The director may require that the information provided pursuant to this section be verified by oath of the insurer's or agency's president or vice president or secretary or actuary, as applicable. The director may further require that the information required pursuant to this section be subject to

an audit conducted at the expense of the title insurer or title agency by an independent certified public accountant. The director shall have the authority to establish a minimum threshold level at which an audit would be required.

4. Information filed with the director relating to the experience of a particular agency shall be kept confidential unless the director finds it in the public interest to disclose the information required of title insurers or title agencies pursuant to this section. Prior to any such disclosure of confidential information, the director shall provide notice and opportunity to be heard to the title insurers and title agencies who would be affected thereby.]

[381.035. No title insurance company, title agency or title agent shall willfully withhold information from, or knowingly give false or misleading information to the director, or to any title insurance rating organization, of which the title insurance company is a member or subscriber, which will affect the rates or fees chargeable pursuant to this chapter. Each violation of this section is a class A violation as that term is defined in section 381.045.]

[381.038. 1. Evidence of the examination of title and determination of insurability generated by a title insurer engaged in direct operations, title agency or title agent shall be preserved and maintained by such insurer, agency or agent for as long as appropriate to the circumstances but in no event less than fifteen years after the title insurance policy has been issued.

2. Records relating to escrow and security deposits shall be preserved and retained by a title insurer engaged in direct operations, title agency and title agent for as long as appropriate to the circumstances but in no event less than five years after the escrow or security deposit account has been closed.

3. This section shall not apply to a title insurer acting as coinsurer if one of the other coinsurers has complied with this section.

4. Each violation of any provision of this section is a class C violation as that term is defined in section 381.045.]

[381.041. 1. No person other than a domestic, foreign, or alien title insurer organized on the stock plan and duly licensed by the director shall transact title insurance business as an insurer in this state.

2. Each title insurer may engage in the title insurance business in this state if licensed to do so by the director and provide any other service related or incidental to the sale and transfer or financing of property.

3. A title insurer shall maintain a minimum paid-in capital of not less than four hundred thousand dollars and, in addition, paid-in initial surplus of at least four hundred thousand dollars.]

[381.042. 1. The director may issue rules, regulations and orders necessary to carry out the provisions of this chapter.

2. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.]

[381.045. 1. If the director determines that the title insurer or any other person has violated this chapter, or any regulation or order promulgated thereunder, after notice and opportunity to be heard, the director may order:

(1) For each violation a monetary penalty which shall take into account the harm the violation caused or could have caused or potential harm to the public and which shall not exceed:

- (a) One thousand dollars per violation for a class A violation;
- (b) Five hundred dollars per violation for a class B violation; and
- (c) One hundred dollars per violation for a class C violation;
- (2) Revocation or suspension of the title insurer's license; or
- (3) Both monetary penalty and revocation or suspension.

2. Nothing contained in this section shall affect the right of the director to impose any other penalties provided for in the insurance code.

3. Nothing contained in this chapter is intended to or shall in any other manner limit or restrict the rights of policyholders, claimants and creditors.]

[381.048. The director may bring an action in a court of competent jurisdiction to enjoin violations of the Real Estate Settlement Procedures Act, 12 U.S.C. Section 2607, as amended.]

[381.051. 1. A title insurer, before issuing any title insurance policy covering property located in this state, shall deposit with the director of the department of insurance, hereinafter referred to as the director, a sum of four hundred thousand dollars, which shall be held for the security and protection of the holders or beneficiaries under its title insurance policies.

2. Assets deposited pursuant to this section may, with the approval of the director, be exchanged from time to time for other assets that qualify under subsection 3 of this section.

3. The depositing title insurer shall receive the income, interests, and dividends on any assets deposited. The deposit required under this section may be made in legal tender or in investments now or hereafter permitted to domestic life insurers with regard to their capital, reserve and surplus. For capital and reserve deposits, sums deposited pursuant to this section shall be valued at their market value.

4. A title insurer that has deposited assets pursuant to this section may, with the approval of the director, withdraw any part of the assets so deposited. If any such title insurer continues to engage in the business of title insurance, it shall not be permitted to withdraw assets that would reduce the amount of its deposits below the amount required by subsection 1 of this section.

5. In lieu of such a deposit maintained in this state, the director shall accept a certificate or certificates in proper form of the public officer or officers having general supervision of title insurers in its state of domicile to the effect that a deposit or total deposits, in an equal or greater amount, in classes of investment authorized in such state, are being maintained for like purposes in public custody or control pursuant to the laws of such state on behalf of the title insurer.

6. If sections 381.011 to 381.241 require a greater amount of capital and surplus or deposits than that required of a title insurer prior to September 28, 1987, such title insurer shall have three years after September 28, 1987, to comply with any such increased requirement.

7. The provisions of sections 375.950 to 375.990, RSMo, shall apply to the impairment of capital, liquidation, and rehabilitation of title insurers.]

[381.052. No person other than a domestic, foreign or non-United States title insurer organized on the stock plan and duly licensed by the director shall transact title insurance business as an insurer in this state.]

[381.055. Subject to the exceptions and restrictions contained in this chapter, a title insurer shall have the power to:

- (1) Do only title insurance business;
- (2) Reinsure title insurance policies; and
- (3) Perform ancillary activities, unless prohibited by the director, including examining titles to real property and any interest in real property and procuring and furnishing related information and information about relevant personal property, when not in contemplation of, or in conjunction with, the issuance of a title insurance policy.]

[381.058. 1. No insurer that transacts any class, type or kind of business other than title insurance shall be eligible for the issuance or renewal of a license to transact the business of title insurance in this state nor shall title insurance be transacted, underwritten or issued by any insurer transacting or licensed to transact any other class, type or kind of business.

2. A title insurer shall not engage in the business of guaranteeing payment of the principal or the interest of bonds or mortgages.

3. (1) Notwithstanding subsection 1 of this section, and to the extent such coverage is lawful within this state, a title insurer is expressly authorized to issue closing or settlement protection to a proposed insured upon request if the title insurer issues a commitment, binder or title insurance policy.

Such closing or settlement protection shall conform to the terms of coverage and form of instrument as required by the director and may indemnify a proposed insured solely against loss of settlement funds only because of the following acts of a title insurer's named title agency or title agent:

- (a) Theft of settlement funds; and
 - (b) Failure to comply with written closing instructions by the proposed insured when agreed to by the title agency or title agent relating to title insurance coverage.
- (2) The director may promulgate or approve a required charge for providing the coverage.
- (3) A title insurer shall not provide any other coverage which purports to indemnify against improper acts or omissions of a person with regard to escrow, settlement, or closing services.]

[381.061. 1. The net retained liability of a title insurer for a single risk on property located in this state, whether assumed directly or as reinsurance, may not exceed fifty percent of the sum of its total surplus to policyholders and unearned premium reserve, less the admitted asset value assigned to title plants, as shown in the most recent annual statement of the title insurer on file in the office of the director.

2. The director may waive the limitation of this section for a particular risk upon application of the title insurer and for good cause shown.]

[381.062. Before being licensed to do an insurance business in this state, a title insurer shall establish and maintain a minimum paid-in capital of not less than four hundred thousand dollars and, in addition, paid-in initial surplus of at least four hundred thousand dollars.]

[381.065. 1. The net retained liability of a title insurer for a single risk in regard to property located in this state, whether assumed directly or as reinsurance, shall not exceed the aggregate of fifty percent of surplus as regards policyholders plus the statutory premium reserve less the company's investment in title plants, all as shown in the most recent annual statement of the insurer on file with the director.

2. For purposes of this chapter:

(1) A single risk shall be the insured amount of any title insurance policy, except that, where two or more title insurance policies are issued simultaneously covering different estates in the same real property, a single risk shall be the sum of the insured amounts of all the title insurance policies; and

(2) A policy under which a claim payment reduces the amount of insurance under one or more other title insurance policies shall be included in computing the single risk sum only to the extent that its amount exceeds the aggregate amount of the policy or policies whose amount of insurance is reduced.

3. A title insurer may obtain reinsurance for all or any part of its liability under its title insurance policies or reinsurance agreements and may also reinsure title insurance policies issued by other title insurers on single risks located in this state or elsewhere. Reinsurance on policies issued on properties located in this state may be obtained from any title insurers licensed to transact title insurance business in this state, any other state, or the District of Columbia and which have a combined capital and surplus of at least eight hundred thousand dollars.

4. The director may waive the limitation of this section for a particular risk upon application of the title insurer and for good cause shown.]

[381.068. In determining the financial condition of a title insurer doing business pursuant to this chapter, the general investment provisions of sections 376.300 to 376.305, RSMo, shall apply; except that, an investment in a title plant or plants in an amount equal to the actual cost shall be allowed as an admitted asset for title insurers. The aggregate amount of the investment shall not exceed fifty percent of surplus to policyholders, as shown on the most recent annual statement of the title insurer on file with the director.]

[381.072. In determining the financial condition of a title insurer doing business pursuant to this chapter, the general provisions of the insurance code requiring the establishment of reserves

sufficient to cover all known and unknown liabilities including allocated and unallocated loss adjustment expense, shall apply; except that, a title insurer shall establish and maintain:

(1) (a) A known claim reserve in an amount estimated to be sufficient to cover all unpaid losses, claims and allocated loss adjustment expenses arising under title insurance policies for which the title insurer may be liable, and for which the insurer has discovered or received notice by or on behalf of the insured or escrow or security depositor;

(b) Upon receiving notice from or on behalf of the insured of a title defect in or lien or adverse claim against the title of the insured that may result in a loss or cause expense to be incurred in the proper disposition of the claim, the title insurer shall determine the amount to be added to the reserve, which amount shall reflect a careful estimate of the loss or loss expense likely to result by reason of the claim;

(c) Reserves required pursuant to this section may be revised from time to time and shall be redetermined at least once each year;

(2) A statutory or unearned premium reserve established and maintained as follows:

(a) A domestic title insurer shall establish and maintain an unearned premium reserve computed in accordance with this section, and all sums attributed to such reserve shall at all times and for all purposes be considered and constitute unearned portions of the original premiums. This reserve shall be reported as a liability of the title insurer in its financial statements;

(b) The unearned premium reserve shall be maintained by the title insurer for the protection of holders of title insurance policies. Except as provided in this section, assets equal in value to the reserve are not subject to distribution among creditors or stockholders of the title insurer until all claims of policyholders or claims under reinsurance contracts have been paid in full, and all liability on the policies or reinsurance contracts has been paid in full and discharged or lawfully reinsured;

(c) The unearned premium reserve shall consist of:

a. The amount of the unearned premium reserve on January 1, 2001; and

b. A sum equal to fifteen cents for each one thousand dollars of net retained liability under each title insurance policy, excluding mortgagee's policies simultaneously issued with owner's policies or owner's leasehold policies of the same or greater amount, on a single risk written on properties located in this state and issued after January 1, 2001;

(d) Amounts placed in the unearned premium reserve in any year in accordance with paragraph (c) of this subdivision shall be deducted in determining the net profit of the title insurer for that year;

(e) A title insurer shall release from the unearned premium reserve a sum equal to ten percent of the amount added to the reserve during a calendar year on July first of each of the five years following the year in which the sum was added, and shall release from the unearned premium reserve a sum equal to three and one-third percent of the amount added to the reserve during that year on each succeeding July first until the entire amount for that year has been released. The amount of the unearned premium reserve or similar unearned premium reserve maintained before January 1, 2001, shall be released in accordance with the law in effect immediately before January 1, 2001;

(f) a. Each domestic and foreign title insurer shall file annually with the audited financial report required pursuant to section 375.1032, RSMo, an actuarial certificate made by a member in good standing of the American Academy of Actuaries, or by an actuary permitted to make such certificate by the commissioner, superintendent or director of the department of insurance of the state of incorporation of a foreign title insurer;

b. The actuarial certification shall conform to the annual statement instructions for title insurers adopted by the National Association of Insurance Commissioners and shall include the actuary's professional opinion of the insurer's reserves as of the date of the annual statement. The reserves analyzed pursuant to this section shall include reserves for known claims, including adverse developments on known claims, and reserves for incurred but not reported claims;

(g) a. Each domestic and foreign title insurer shall establish a supplemental reserve in the amount by which the actuarially certified reserves exceed the total of the known claim reserve and statutory premium reserve as set forth in the title insurer's annual financial report, subject to this subdivision;

b. The supplemental reserve required pursuant to this section shall be phased in as follows:

- i. Twenty-five percent of the otherwise applicable supplemental reserve is required until December thirty-first of the year next following January 1, 2001;
- ii. Fifty percent of the otherwise applicable supplemental reserve is required until December thirty-first of the second year following January 1, 2001;
- iii. Seventy-five percent of the otherwise applicable supplemental reserve is required until December thirty-first of the third year following January 1, 2001;
- iv. One hundred percent of the supplemental reserve is required after December thirty-first of the fourth year following January 1, 2001.]

[381.075. 1. Sections 375.570 to 375.750, RSMo, and sections 375.1150 to 375.1246, RSMo, shall apply to all title insurers subject to the title insurance act, except as otherwise provided in this section. In applying such sections, the court shall consider the unique aspects of title insurance and shall have broad authority to fashion relief that provides for the maximum protection of the title insurance policyholders.

2. Security and escrow funds held by or on behalf of the title insurer shall not become general assets and shall be administered as secured claims as defined in section 375.1152, RSMo.

3. Title insurance policies that are in force at the time an order of liquidation is entered shall not be canceled except upon a showing to the court of good cause by the liquidator. The determination of good cause shall be within the discretion of the court. In making this determination, the court shall consider the unique aspects of title insurance and all other relevant circumstances.

4. The court may set appropriate dates that potential claimants must file their claims with the liquidator. The court may set different dates for claims based upon the title insurance policy than for all other claims. In setting dates, the court shall consider the unique aspects of title insurance and all other relevant circumstances.

5. As of the date of the order of insolvency or liquidation, all premiums paid, due or to become due under policies of the title insurers, shall be fully earned. It shall be the obligation of title agencies, title agents, insureds or representatives of the title insurer to pay fully earned premium to the liquidator or rehabilitator.]

[381.078. A title insurer shall only declare or distribute a dividend to shareholders with the prior written approval of the director, as would be permitted pursuant to subdivision (1) of subsection 1 of section 382.210, RSMo.]

[381.081. 1. A domestic title insurer shall establish and maintain an unearned premium reserve computed in accordance with this section, and all sums attributed to such reserve shall at all times and for all purposes be considered and constitute unearned portions of the original premiums. This reserve shall be reported as a liability of the title insurer in its financial statements.

2. The unearned premium reserve shall be maintained by the title insurer for the protection of holders of title insurance policies. Except as provided in this section, assets equal in value to the reserve are not subject to distribution among creditors or stockholders of the title insurer until all claims of policyholders or claims under reinsurance contracts have been paid in full, and all liability on the policies or reinsurance contracts has been paid in full and discharged or lawfully reinsured.

3. A foreign or alien title insurer licensed to transact title insurance business in this state shall maintain at least the same reserves on title insurance policies issued on properties located in this state as are required of domestic title insurers, unless the laws of the jurisdiction of domicile of the foreign or alien title insurer require a higher amount.

4. The unearned premium reserve shall consist of:

- (1) The amount of the unearned premium reserve on September 28, 1987; and
- (2) A sum equal to fifteen cents for each one thousand dollars of net retained liability under each title insurance policy, excluding mortgagee's policies simultaneously issued with owner's policies or owner's leasehold policies of the same or greater amount, on a single risk written on properties located in this state and issued after September 28, 1987.

5. Amounts placed in the unearned premium reserve in any year in accordance with subdivision (2) of subsection 4 of this section shall be deducted in determining the net profit of the title insurer for that year.

6. A title insurer shall release from the unearned premium reserve a sum equal to ten percent of the amount added to the reserve during a calendar year on July first of each of the five years following the year in which the sum was added, and shall release from the unearned premium reserve a sum equal to three and one-third percent of the amount added to the reserve during that year on each succeeding July first until the entire amount for that year has been released. The amount of the unearned premium reserve or similar unearned premium reserve maintained before September 28, 1987, shall be released in accordance with the law in effect immediately before September 28, 1987.]

[381.085. 1. A title insurer or authorized rate service organization shall not deliver or issue for delivery or permit any of its authorized title agencies or title agents to deliver in this state, any form, in connection with title insurance written, unless it has been filed with the director and approved by the director or thirty days have elapsed and it has not been disapproved as misleading or violative of public policy. Each violation of this subsection is a class C violation as that term is defined in section 381.045.

2. Forms covered by this section shall include:

- (1) Title insurance policies, including standard form endorsements; and
- (2) Title insurance commitments issued prior to the issuance of a title insurance policy.

3. After notice and opportunity to be heard are given to the insurer or rate service organization which submitted a form for approval, the director may withdraw approval of the form on finding that the use of the form is contrary to the legal requirements applicable at the time of withdrawal. The effective date of withdrawal of approval shall not be less than ninety days after notice of withdrawal is given.

4. Any term or condition related to an insurance coverage provided by an approved title insurance policy or any exception to the coverage, except those ascertained from a search and examination of records relating to a title or inspection or survey of a property to be insured, may only be included in the policy after the term, condition or exception has been filed with the director and approved as herein provided.]

[381.088. 1. A title insurer may satisfy its obligation to file premium rates, rating manuals and forms as required by this chapter by becoming a member of, or a subscriber to, a rate service organization, organized and licensed pursuant to the provisions of this chapter, where the organization makes the filings, and by authorizing the director in writing to accept the filings on the insurer's behalf.

2. Nothing in this chapter shall be construed as requiring any title insurer, title agency or title agent to become a member of, or a subscriber to, any rate service organization. Nothing in this chapter shall be construed as prohibiting the filing of deviations from rate service organization filings by any member or subscriber.]

[381.091. 1. If a domestic title insurer becomes insolvent, is in the process of liquidation or dissolution, or is in the possession of the director:

(1) Such amount of the assets of such title insurer equal to the unearned premium reserve then remaining may be used by or with the written approval of the director to pay for reinsurance of the liability of such title insurer upon all outstanding title insurance policies or reinsurance agreements to the extent to which claims for losses by the holders thereof are not then pending. The balance of assets, if any, equal to the unearned premium reserve, may then be transferred to the general assets of the title insurer;

(2) The net assets of the unearned premium reserve shall be available to pay claims for losses sustained by holders of title insurance policies then pending or arising up to the time reinsurance is effected. If claims for losses exceed such other assets of the title insurer, such claims, when established, shall be paid pro rata out of the surplus assets attributable to the unearned premium reserve to the extent of such surplus, if any.

2. If reinsurance is not obtained, assets equal to the unearned premium reserve and assets constituting minimum capital, or so much as remains thereof after outstanding claims have been paid, shall constitute a trust fund to be held and invested by the director for twenty years, out of which claims of policyholders shall be paid as they arise. The balance, if any, of the trust fund shall, at the expiration of twenty years, revert to the general assets of the title insurer.]

[381.092. 1. Every title insurer that shall propose its own premium rates and every title insurance rating organization shall propose premium rates that are not excessive nor inadequate for the safety and soundness of any title insurer, which do not unfairly discriminate between risks in this state which involve essentially the same exposure to loss and expense elements, and which shall give due consideration to the following matters:

- (1) The desirability for stability and responsiveness of rate structures;
- (2) The necessity of assuring the financial solvency of title insurance companies in periods of economic depression;
- (3) The necessity for paying dividends on the capital stock of title insurance companies sufficient to induce capital to be invested therein; and
- (4) A reasonable level of profit for the insurer.

2. Every title insurer that shall propose its own rates and every title insurance rating organization may adopt basic classifications of policies or contracts of title insurance which shall be used as the basis for rates.]

[381.095. 1. If the director shall find in his review of rate filings that the filings provide for, result in, or produce rates that are not unreasonably high, and are not inadequate for the safeness and soundness of the insurer, and are not unfairly discriminatory between risks in this state involving essentially the same hazards and expense elements, the director shall approve such rates. Prior to such approval the director may conduct a public hearing with respect to a rate filing. An approval shall continue in effect until the director shall issue an order of disapproval pursuant to the requirements and procedure provided for in subsections 2 and 3 of this section.

2. Upon the review at any time by the director of a rate filing, the director shall, before issuing an order of disapproval, hold a hearing upon not less than ten days' written notice, specifying in reasonable detail the matters to be considered at such hearing, to every title insurer and title insurance rating organization which made such filing, and if, after such hearing, the director finds that such filing or a part thereof does not meet the requirements of this chapter, the director shall issue an order specifying in what respects the director finds that it so fails, and stating when, within a reasonable period thereafter, such filing or a part thereof shall be deemed no longer effective. A title insurer or title insurance rating organization shall have the right at any time to withdraw a filing or a part thereof, subject to the provisions of section 381.102, in the case of deviation filing. Copies of the order shall be sent to every title insurer and title insurance rating organization affected. The order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in the order.

3. Any person or organization aggrieved with respect to any filing which is in effect may make written application to the director for a hearing thereon. The title insurance company or title insurance rating organization that made the filing shall not be authorized to proceed pursuant to this subsection. Such application shall specify in reasonable detail the grounds to be relied upon by the applicant. If the director shall find that the application is made in good faith, that the applicant would be so aggrieved if his or her grounds are established, and that such grounds otherwise justify holding such a hearing, the director shall, within thirty days after receipt of such application, hold a hearing upon not less than ten days' written notice to the applicant and to every title insurance company and title insurance rating organization which made such a filing. If, after such hearing, the director finds that the filing or a part thereof does not meet the requirements of this chapter, the director shall issue an order specifying in what respects the director finds that such filing or a part thereof fails to meet the requirements of this chapter, stating when within a reasonable period thereafter, such filing or a part thereof shall be deemed no longer effective. Copies of such order shall be sent to the applicant

and to every such title insurer and title insurance rating organization. The order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in the order.]

[381.098. 1. A corporation, an unincorporated association, a partnership or an individual, whether located within or outside this state, may make application to the director for license as a rating organization for title insurers, and shall file therewith:

- (1) A copy of its constitution, its articles of agreement or association or its certificate of incorporation, and of its bylaws, rules and regulations governing the conduct of its business;
- (2) A list of its members and subscribers;
- (3) The name and address of a resident of this state upon whom notices or orders of the director or process affecting such rating organization may be served; and
- (4) A statement of its qualifications as a title insurance rating organization.

2. If the director finds that the applicant is competent, trustworthy and otherwise qualified to act as a rating organization, and that its constitution, articles of agreement or association or certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business, conform to requirements of law, the director shall issue a license authorizing the applicant to act as a rating organization for title insurance. Licenses issued pursuant to this section shall remain in effect for three years unless sooner suspended or revoked by the director or withdrawn by the licensee. The fee for such license shall be one thousand five hundred dollars. Licenses issued pursuant to this section may be suspended or revoked by the director, after hearing upon notice, in the event the rating organization ceases to meet the requirements of this subsection. Every rating organization shall notify the director promptly of every change in:

- (1) Its constitution, its articles of agreement or association or its certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business;
- (2) Its list of members and subscribers; and
- (3) The name and address of the resident of this state designated by it upon whom notices or orders of the director or process affecting such rating organization may be served.

3. Subject to rules and regulations which have been approved by the director as reasonable, each title insurance rating organization shall permit any title insurance company not a member to be a subscriber to its rating services. Notices of proposed changes in such rules and regulations shall be given to subscribers. Each such rating organization shall furnish its rating services without discrimination to its members and subscribers. The reasonableness of any rule or regulation in its application to subscribers, or the refusal of any such rating organization to admit a title insurance company as a subscriber, shall at the request of any subscriber or any such title insurance company, be reviewed by the director at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber. If the director finds that such rule or regulation is unreasonable in its application to subscribers, the director shall order that such rule or regulation shall not be applicable to subscribers. If the rating organization fails to grant or reject an application of a title insurance company for subscribership within thirty days after it was made, the title insurance company may request a review by the director as if the application had been rejected. If the director finds that the title insurance company has been refused admittance to the title insurance rating organization as a subscriber without justification, the director shall order such rating organization to admit the title insurance company as a subscriber. If the director finds that the action of the title insurance rating organization was justified, the director shall make an order affirming its action.]

[381.101. 1. All title insurers licensed in this state shall establish and maintain reserves against unpaid losses and loss expenses.

2. Upon receiving notice from or on behalf of the insured of a title defect in or lien or adverse claim against the title of the insured that may result in a loss or cause expense to be incurred in the proper disposition of the claim, the title insurer shall determine the amount to be added to the reserve, which amount shall reflect a careful estimate of the loss or loss expense likely to result by reason of the claim.

3. Reserves required under this section may be revised from time to time and shall be redetermined at least once each year.]

[381.102. Every member of or subscriber to a title insurance rating organization shall adhere to the filings made on its behalf by such organization, except that any title insurance company which is a member of or subscriber to such a rating organization may file with the director a uniform percentage of decrease or increase to be applied to any or all elements of the fees produced by the rating system so filed for a class of title insurance which is found by the director to be a proper rating unit for the application of such uniform decrease or increase, or to be applied to the rates for a particular area, or otherwise deviate from the rating plans, policy forms or other matters which are the subject of filings pursuant to this chapter. Such deviation filing shall specify the basis for the modification and shall be accompanied by the data or historical pattern upon which the applicant relies. A copy of the deviation filing and data shall be sent simultaneously to such rating organization. Deviation filings shall be subject to the provisions of section 381.095.]

[381.105. 1. Any member of or subscriber to a title insurance rating organization may appeal to the director from any action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization, and the director shall, after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization, issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal and to take action or make a decision upon it within thirty days. If such appeal is from the action or decision of the title insurance rating organization in rejecting a proposed addition to its filings, the director may, in the event the director finds that such action or decision was unreasonable, issue an order directing the rating organization to make an addition to its filings, on behalf of its members and subscribers, in a manner consistent with the director's findings, within a reasonable time after the issuance of such order. If the appeal is from the action of the title insurance rating organization with regard to a rate or a proposed change in or addition to its filings relating to the character and extent of coverage, the director shall approve the action of the rating organization or such modification thereof as shall have been suggested by the appellant if either be made in accordance with this chapter.

2. The failure of a title insurance rating organization to take action or make a decision within thirty days after submission to it of a proposal pursuant to this section shall constitute a rejection of such proposal within the meaning of this section. If such appeal is based upon the failure of the rating organization to make a filing on behalf of such member or subscriber which is based on a system of expense allocation which differs from the system of expense allocation included in a filing made by such rating organization, the director shall, if the director grants the appeal, order the rating organization to make the requested filing for use by the appellant. In deciding such appeal, the director shall apply the standards set forth in section 381.032.]

[381.108. 1. The director shall promulgate reasonable rules and statistical plans, reasonably adapted to each of the rating systems on file with the department, which may be modified from time to time, and which shall be used thereafter by each title insurer in the recording and reporting of the composition of its business, its loss and countrywide expense experience and those of its title insurance underwriters in order that the experience of all title insurers may be made available, at least annually, in such form and detail as may be necessary to aid him or her in determining whether rating systems comply with the standards set forth in this chapter. Such rules and plans may also provide for the recording of expense experience items which are specially applicable to this state and are not susceptible of determination by a prorating of countrywide expense experience. In promulgating such rules and plans, the director shall give due consideration to the rating systems on file with the department, and in order that such rules and plans may be as uniform as is practicable among the several states, to the rules and to the form of the plans used for such rating systems in other states. Such rules and plans shall not place an unreasonable burden of expense on any title insurer. No title insurer shall be required to record or report its expense and loss experience on a classification basis that is inconsistent with the rating system filed by it, nor shall any title insurer be required to report the experience to any agency of which it is not a member or subscriber. The director may designate one or more rating organizations or other agencies to assist the director in gathering such experience and making compilations thereof, and such compilations shall be made available, subject to reasonable

rules promulgated by the director, to title insurers and rating organizations. The director shall give preference in such designation to entities organized by and functioning on behalf of title insurers operating in this state. If the director, in his or her judgment, determines that one or more of such organizations designated as statistical agents is unable or unwilling to perform its statistical functions according to reasonable requirements established from time to time by the director, he or she may, after consultation with such statistical agent and upon twenty days' notice to any affected companies, designate another person to act on the director's behalf in the gathering of statistical experience. The director shall in such case establish the fee to be paid to such designated person by the affected companies in order to pay the total cost of gathering and compiling such experience. Agencies designated by the director shall assist the director in making compilations of the reported data and such compilations shall be made available, subject to reasonable rules and regulations promulgated by the director, to insurers, rating organizations and any other interested parties.

2. Reasonable rules and plans may be promulgated by the director for the interchange of data necessary for the application of rating plans.

3. In order to further uniform administration of rate regulatory laws, the director and every title insurer and rating organization may exchange information and experience data with insurance supervisory officials, title insurers and rating organizations in other states, and may consult with them with respect to rate making and the application of rating systems.

4. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.]

[381.111. A title insurer may obtain reinsurance for all or any part of its liability under its title insurance policies or reinsurance agreements and may also reinsure title insurance policies issued by other title insurers on single risks located in this state or elsewhere. Reinsurance on policies issued on properties located in this state may be obtained from any title insurers licensed to transact title insurance business in this state, any other state, or the District of Columbia and which have a combined capital and surplus of at least eight hundred thousand dollars.]

[381.112. For purposes of the premium tax imposed by sections 148.320 and 148.340, RSMo, the premium income received by a title insurer shall mean the amount of premium actually remitted to the title insurer and shall exclude any amount of premium retained by the title agent within the definition of "premium" contained in section 381.009.]

[381.115. 1. A person shall not act in the capacity of a title agency or title agent and a title insurer may not contract with any person to act in the capacity of a title agency or title agent with respect to risks located in this state unless the person is a licensed title agency or title agent in this state.

2. An individual employed by a licensed title agency or title agent to whom the agency or agent delegates authority to act on that agency's or agent's behalf shall be either individually licensed or be named on the employing agent's license if such employee performs any of the functions defined in paragraph (a) of subdivision (25) of section 381.009. Each person named on the license shall possess all qualifications determined by the director to be appropriate. The director may adopt rules, regulations, and requirements relating to licensing and practices of persons acting in the capacity of title agencies or agents. These persons may include title agencies, title agents, employees of either, and persons acting on behalf of title agencies or title agents. This subsection is not intended to include persons performing clerical functions.

3. Every title agency licensed in this state shall:

(1) Exclude or eliminate the word insurer or underwriter from its business name, unless the word agency is also included as part of the name; and

(2) Provide, in a timely fashion, each title insurer with which it places business any information the title insurer requests in order to comply with reporting requirements of the director.

4. A title agency or title agent licensed in this state prior to the effective date of this chapter shall have ninety days after the effective date of this chapter to comply with the requirements of this section.

5. If the title agency or title agent delegates the title search to a third party, such as an abstract company, the agency or agent must first obtain proof that the third party is operating in compliance with rules and regulations established by the director and the third party shall provide the agency or agent and the insurer with access to and the right to copy all accounts and records maintained by the third party with respect to business placed with the title insurer. Proof from the third party may consist of a signed statement indicating compliance, and shall be effective for a three-year period. Each violation of this subsection is a class C violation as that term is defined in section 381.045.]

[381.118. 1. Each title agent licensed to sell title insurance in this state, unless exempt pursuant to subsection 8 of this section, shall successfully complete courses of study as required by this section. Any person licensed to act as a title agent shall, during each two years, attend courses or programs of instruction or attend seminars equivalent to a minimum of eight hours of instruction. The initial such two-year period shall begin January first of the year next following the effective date of this chapter.

2. Subject to approval by the director, the courses or programs of instruction which shall be deemed to meet the director's standards for continuing educational requirements shall include, but not be limited to, the following:

(1) An insurance-related course taught by an accredited college or university or qualified instructor who has taught a course of insurance law at such institution;

(2) A course or program of instruction or seminar developed or sponsored by any authorized insurer, recognized agents' association or insurance trade association. A local agents' group may also be approved if the instructor receives no compensation for services;

(3) Courses approved for continuing legal education credit by the Missouri Bar.

3. A person teaching any approved course of instruction or lecturing at any approved seminar shall qualify for the same number of classroom hours as would be granted to a person taking and successfully completing such course, seminar or program.

4. Excess classroom hours accumulated during any two-year period may be carried forward to the two-year period immediately following the two-year period in which the course, program or seminar was held.

5. For good cause shown, the director may grant an extension of time during which the educational requirements imposed by this section may be completed, but such extension of time shall not exceed the period of one calendar year. The director may grant an individual waiver of the mandatory continuing education requirement upon a showing by the licensee that it is not feasible for the licensee to satisfy the requirements prior to the renewal date. Waivers may be granted for reasons including, but not limited to:

(1) Serious physical injury or illness;

(2) Active duty in the armed services for an extended period of time;

(3) Residence outside the United States; or

(4) Licensee is at least seventy years of age and is currently licensed as a title agent.

6. Every person subject to the provisions of this section shall furnish in a form satisfactory to the director, written certification as to the courses, programs, or seminars of instruction taken and successfully completed by such person. A filing fee shall be paid by the person furnishing the report as determined by the director to be necessary to cover the administrative cost related to the handling of such certification reports, subject to the limitations imposed in subsection 9 of this section.

7. The provisions of this section shall not apply to those natural persons holding or applying for a license to act as a title agent in Missouri who reside in a state that has enacted and implemented a mandatory continuing education law or regulation pertaining to title agents. However, those natural persons holding or applying for a Missouri agent license who reside in states which have no mandatory continuing education law or regulations shall be subject to all the provisions of this section to the same extent as resident Missouri title agents.

8. Rules necessary to implement and administer this section shall be promulgated by the director of the department of insurance, including, but not limited to, rules regarding the following:

(1) The insurance advisory board established by section 375.019, RSMo, shall be utilized by the director to assist the director in determining acceptable content of courses, programs and seminars to include classroom equivalency;

(2) Every applicant seeking approval by the director of a continuing education course pursuant to this section shall pay to the director a filing fee of fifty dollars per course, except that such total fee shall not exceed two hundred fifty dollars per year for any single applicant. Fees shall be waived for local agents' groups if the instructor receives no compensation for services. Such fee shall accompany any application form required by the director. Courses shall be approved for a period of no more than one year. Applicants holding courses intended to be offered for a longer period must reapply for approval;

(3) The director has the authority to determine the amount of the filing fee to be paid by title agents at the time of license renewal, which shall be set at an amount to produce revenue which shall not substantially exceed the cost of administering this section, but in no event shall such fee exceed ten dollars per biennial report filed.

9. All funds received pursuant to the provisions of this section shall be transmitted by the director of the department of insurance to the department of revenue for deposit in the state treasury to the credit of the department of insurance dedicated fund. All expenditures necessitated by this section shall be paid from funds appropriated from the department of insurance dedicated fund by the legislature.

10. When a title agent pays his or her biennial renewal fee, such agent shall also furnish the written certification and filing fee required by this section.

11. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.]

[381.121. 1. The deposit required by section 381.051 and the capital, surplus and unearned premium reserve of domestic title insurers shall be held in either cash or investments now or hereafter permitted to domestic life insurers with regard to their capital, reserve and surplus for reserve deposit.

2. A domestic title insurer may invest in title plants. For purposes of determining the financial condition of such title insurer, title plants will be treated as an asset valued at actual cost to the title insurer, not to exceed fifty percent of the surplus as to policyholders as shown on the most recent annual statement of the title insurer.

3. Any investment of a domestic title insurer acquired before September 28, 1987, and which under such sections, would be considered ineligible as an investment on that date, shall be disposed of within five years of September 28, 1987. The director, upon application and proof that forced sale of any such investment would be contrary to the best interests of the title insurer or its policyholders, may extend the period for disposal of the investment for a reasonable time.]

[381.122. The director may during normal business hours examine, audit and inspect any and all books and records maintained by a title agency pursuant to this chapter.]

[381.125. 1. Whenever the business to be written constitutes affiliated business, prior to commencing the transaction, the title agency or title agent shall ensure that its customer has been provided with disclosure of the existence of the affiliated business arrangement and a written estimate of the charge or range of charges generally made for the title services provided by the title agency or agent.

2. The director may establish rules for use by all title agencies in the recording and reporting of the agency's owners and of the agency's ownership interests in other persons or businesses and of material transactions between the parties.

3. The director may require each title agency to file on forms prescribed by the director reports setting forth the names and addresses of those persons, if any, that have a financial interest in the agency and who the agency knows or has reason to believe are producers of title insurance business or associates of producers.

4. Nothing in this chapter shall be construed as prohibiting affiliated business arrangements in the provision of title insurance business so long as:

(1) The title agency, title agent or party making a referral constituting affiliated business, at or prior to the time of the referral, discloses the arrangement and, in connection with the referral, provides the person being referred with a written estimate of the charge or range of charges likely to be assessed and otherwise complies with the disclosure obligations of this section;

(2) The person being referred is not required to use a specified title insurance agency, agent or insurer; and

(3) The only thing of value that is received by the title agency, title agent or party making the referral, other than payments otherwise permitted, is a return on an ownership interest.

For purposes of this subsection, the terms "required use" and "return on an ownership interest" shall have the meaning accorded to them under the Real Estate Settlement Procedures Act (RESPA), 12 U.S.C. Section 2607, as amended and Regulation X, 24 CFR Section 3500, et seq.

5. Each violation of any provision of this section is a class C violation as that term is defined in section 381.045.]

[381.131. Any person who shall be appointed or who shall act as title insurance agent or agency for any title insurance company within this state, or who shall, as title insurance agent or agency, solicit applications, deliver policies and collect premiums thereon, or who shall receive or collect moneys from any source or on any account whatsoever, as agent or agency, for a title insurance company doing business in this state, shall be held responsible in a trust or fiduciary capacity to the company for any money so collected or received by him for such company.]

[381.151. Nothing in sections 381.011 to 381.241 shall be construed as prohibiting the division of premiums and charges between or among a title insurer and its title agent or agency, two or more title insurers, one or more title insurers and one or more title agents or agencies or two or more title agents or agencies, provided such division of premiums and charges does not constitute:

(1) An unlawful rebate or inducement under the provisions of sections 381.011 to 381.241; or

(2) Payment of a forwarding fee or finder's fee.]

[381.211. Every title insurer shall file with the director copies of the following forms it proposes to use in this state, including:

(1) Title insurance policies;

(2) Standard form endorsements; and

(3) Preliminary reports, commitments, binders, or any other reports issued prior to the issuance of a title insurance policy.]

[381.221. For purposes of the premium tax imposed by sections 148.320 and 148.340, RSMo, the premium income received by a title insurer shall be one hundred percent of the amounts paid by or on behalf of the insured as "premiums" within the definition of that term contained in sections 381.011 to 381.241.]

[381.231. In addition to any other powers granted under sections 381.011 to 381.241, the director may adopt rules or regulations to protect the interests of the public including, but not limited to, regulations governing sales practices, escrow, collection, settlement, closing procedures, policy coverage standards, rebates and inducements, controlled business, the approval of agency contracts, unfair trade practices and fraud, statistical plans for data collection, consumer education, any other consumer matters, the business of title insurance, or any regulations otherwise implementing or interpreting the provisions of sections 381.011 to 381.241. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.]

[381.241. 1. The director of insurance or his duly authorized representative may at any time and from time to time, inspect and examine the records, books and accounts of any title insurer, and may require such periodic and special reports from any title insurer, as may be reasonably necessary

to enable the director to satisfy himself that such title insurer is complying with the requirements of sections 381.011 to 381.241. No person shall be authorized to inspect and examine the records, books and accounts of any title insurer unless such person has five years experience in the title insurance business. It shall be the duty of the director at least once every four years to make or cause to be made an examination of every title insurer. The reasonable expense of any examination shall be paid by the title insurer.

2. The purpose of such examination is to enable the director to ascertain whether there is compliance with the provisions of sections 381.011 to 381.241. If as a result of such examination the director has reason to believe that any rate, rating plan or rating system made or used by an insurer does not meet the standards and provisions of sections 381.011 to 381.241, applicable to it, the director may hold a public hearing. Within a reasonable period of time, which shall be not less than ten days before the date of such hearing, he shall mail written notice specifying the matters to be considered at such hearing to every person, insurer or organization believed by him not to be in compliance with the provisions of sections 381.011 to 381.241.

3. If the director, after such hearing, for good cause finds that such rate, rating plan or rating system does not meet the provisions of sections 381.011 to 381.241, he shall issue an order specifying in what respects any such rate, rating plan or rating system fails to meet such provisions, and stating when, within a reasonable period of time, the further use of such rate, rating plan or rating system by the title insurer which is the subject of the examination shall be prohibited. A copy of such order shall be sent to such title insurer.]

[381.410. As used in sections 381.410 and 381.412, the following terms mean:

(1) "Cashier's check", a check, however labeled, drawn on the financial institution, which is signed only by an officer or employee of such institution, is a direct obligation of such institution, and is provided to a customer of such institution or acquired from such institution for remittance purposes;

(2) "Certified funds", U.S. currency, funds conveyed by a cashier's check, certified check, teller's check, as defined in Federal Reserve Regulations CC, or wire transfers, including written advice from a financial institution that collected funds have been credited to the settlement agent's account;

(3) "Director", the director of the department of insurance, unless the settlement agent's primary regulator is another division in the department of economic development. When the settlement agent is regulated by such division, that division shall have jurisdiction over sections 381.410 and 381.412;

(4) "Financial institution":

(a) A person or entity doing business under the laws of this state or the United States relating to banks, trust companies, savings and loan associations, credit unions, commercial and consumer finance companies, industrial loan companies, insurance companies, small business investment corporations licensed pursuant to the Small Business Investment Act of 1958 (15 U.S.C. Section 661, et seq.), as amended, or real estate investment trusts as defined in 26 U.S.C. Section 856, as amended, or institutions constituting the Farm Credit System pursuant to the Farm Credit Act of 1971 (12 U.S.C. Section 2000, et seq.), as amended, or any person which services loans secured by liens or mortgages on real property, which person may or may not maintain a servicing portfolio for such loans; or

(b) The following persons or entities if their principal place of business is in Missouri or a state which is contiguous to Missouri:

a. A mortgage loan company which is subject to licensing, supervision or auditing by the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, or the United States Veterans Administration, or the Government National Mortgage Association, or the United States Department of Housing and Urban Development, or a successor of any of the foregoing agencies or entities, as an approved seller or servicer; or

b. A person or entity acting as a mortgage loan company pursuant to court order;

(5) "Settlement agent", a person, corporation, partnership, or other business organization which accepts funds and documents as fiduciary for the buyer, seller or lender for the purposes of closing a sale of an interest in real estate located within the state of Missouri, and is not a financial

institution, or a member in good standing of the Missouri Bar Association, or a person licensed under chapter 339, RSMo.]

[381.410. As used in this section and section 381.412, the following terms mean:

(1) "Cashier's check", a check, however labeled, drawn on the financial institution, which is signed only by an officer or employee of such institution, is a direct obligation of such institution, and is provided to a customer of such institution or acquired from such institution for remittance purposes;

(2) "Certified funds", United States currency, funds conveyed by a cashier's check, certified check, teller's check, as defined in Federal Reserve Regulations CC, or wire transfers, including written advice from a financial institution that collected funds have been credited to the settlement agent's account;

(3) "Director", the director of the department of insurance, unless the settlement agent's primary regulator is another division in the department of economic development. When the settlement agent is regulated by such division, that division shall have jurisdiction over this section and section 381.412;

(4) "Financial institution":

(a) A person or entity doing business pursuant to the laws of this state or the United States relating to banks, trust companies, savings and loan associations or credit unions; or

(b) The following persons or entities if their principal place of business is in Missouri or outside Missouri, but within the St. Louis or Kansas City standard metropolitan statistical area:

a. A mortgage loan company which is subject to licensing, supervision or auditing by the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, or the United States Veterans Administration, or the Government National Mortgage Association, or the United States Department of Housing and Urban Development, or a successor of any of the foregoing agencies or entities, as an approved seller or servicer;

(5) "Settlement agent", a person, corporation, partnership, or other business organization which accepts funds and documents as fiduciary for the buyer, seller or lender for the purposes of closing a sale of an interest in real estate located within the state of Missouri, and is not a financial institution, or a member in good standing of the Missouri Bar, or a person licensed under chapter 339, RSMo.]

[381.412. 1. A settlement agent who accepts funds of more than ten thousand dollars, but less than two million dollars, for closing a sale of an interest in real estate shall require a buyer, seller or lender who is not a financial institution to convey such funds to the settlement agent as certified funds. The settlement agent shall record all security instruments for such real estate closing within three business days of such closing after receipt of such certified funds. A check:

(1) Drawn on an escrow account of a licensed real estate broker, as regulated and described in section 339.105, RSMo;

(2) Drawn on an escrow account of a title insurer or title insurance agency licensed to do business in Missouri;

(3) Drawn on an agency of the United States of America, the state of Missouri or any county or municipality of the state of Missouri; or

(4) Drawn on an account by a financial institution;

shall be exempt from the provisions of this section.

2. No title insurer, title insurance agency or title insurance agent, as defined in section 381.031, shall make any payment, disbursement or withdrawal in excess of ten thousand dollars from an escrow account which it maintains as a depository of funds received from the public for the settlement of real estate transactions unless a corresponding deposit of funds was made to the escrow account for the benefit of the payee or payees:

(1) At least ten days prior to such payment, disbursement or withdrawal;

(2) Which consisted of certified funds; or

(3) Consisted of a check made exempt from this section by the provisions of subsection 1 of this section.

3. If the director finds that a settlement agent, title insurer, title insurance agency or title insurance agent has violated any provisions of this section, the director may assess a fine of not more than two thousand dollars for each violation, plus the costs of the investigation. Each separate transaction where certified funds are required shall constitute a separate violation. In determining a fine, the director shall consider the extent to which the violation was a knowing and willful violation, the corrective action taken by the settlement agent to ensure that the violation will not be repeated, and the record of the settlement agent in complying with the provisions of this section.]

[381.412. 1. A settlement agent who accepts funds of more than ten thousand dollars for closing a sale of an interest in real estate shall require a buyer, seller or lender who is not a financial institution to convey such funds to the settlement agent as certified funds. A check:

(1) Drawn on an escrow account of a licensed real estate broker, as regulated and described in section 339.105, RSMo;

(2) Drawn on an escrow account of a title insurer or title insurance agency licensed to do business in Missouri;

(3) Drawn on an agency of the United States of America, the state of Missouri or any county or municipality of the state of Missouri; or

(4) Drawn on an account by a financial institution;

shall be exempt from the provisions of this section.

2. No title insurer, title insurance agency or title insurance agent, as defined in section 381.009, shall make any payment, disbursement or withdrawal in excess of ten thousand dollars from an escrow account which it maintains as a depository of funds received from the public for the settlement of real estate transactions unless a corresponding deposit of funds was made to the escrow account for the benefit of the payee or payees:

(1) At least ten days prior to such payment, disbursement or withdrawal;

(2) Which consisted of certified funds; or

(3) Consisted of a check made exempt from this section by the provisions of subsection 1 of this section.

3. If the director finds that a settlement agent, title insurer, title insurance agency or title insurance agent has violated any provisions of this section, the director may assess a fine of not more than two thousand dollars for each violation, plus the costs of the investigation. Each separate transaction where certified funds are required shall constitute a separate violation. In determining a fine, the director shall consider the extent to which the violation was a knowing and willful violation, the corrective action taken by the settlement agent to ensure that the violation will not be repeated, and the record of the settlement agent in complying with the provisions of this section.]" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Yates, **House Amendment No. 1** was adopted by the following vote:

AYES: 116

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Flook	Funderburk	George	Grill

Haywood	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	Lipke	Low 39	Lowe 44
Marsh	McGhee	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Portwood	Pratt	Quinn 7	Richard	Robb
Roorda	Ruzicka	Salva	Sander	Schaaf
Schad	Scharnhorst	Schneider	Schoeller	Schoemehl
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wasson	Wilson 119	Wood	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 040

Bringer	Cox	Dethrow	Fisher	Frame
Guest	Harris 110	Hodges	Kelly	Kuessner
Liese	Loehner	May	McClanahan	Meadows
Moore	Pollock	Quinn 9	Robinson	Rucker
Ruestman	Sater	Scavuzzo	Schieffer	Schlottach
Self	Shively	Stevenson	Swinger	Todd
Wallace	Walsh	Walton	Wells	Weter
Whorton	Wildberger	Wilson 130	Witte	Wright 159

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Bruns	Cunningham 145	Franz	Grisamore
Harris 23	LeVota			

Representative Yates offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 66, Section A, Page 1, by inserting after all of said section the following:

"354.150. Every health services corporation subject to the provisions of sections 354.010 to 354.380 shall pay the following fees to the director [of insurance] for **the administration and** enforcement of the provisions of this chapter:

[Issuance of certificate of authority	\$150.00
Filing articles of amendment	\$ 20.00
Filing each annual statement	\$100.00
Filing articles of acceptance and issuing a certificate of acceptance	\$ 20.00
Filing any other statement or report	\$ 1.00
For a certified copy of any document or other paper filed in the office of the director, per page	\$.35
For the certificate and for affixing the seal thereto	\$ 10.00
For filing statement and pertinent admission papers required of a foreign health services corporation	\$200.00
For copies of papers, records and documents filed in the office of the director, an amount not to exceed, at the director's discretion	\$ 1.00 per page
For each service of process upon the director, on behalf of the health services corporation	\$10.00]

- (1) For filing the declaration required on organization of each domestic company, two hundred fifty dollars;**
- (2) For filing statement and certified copy of charter required of foreign companies, two hundred fifty dollars;**
- (3) For filing application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk based capital report, report of valuation of policies or other obligations of assurance, and audited financial report of any company doing business in this state, one thousand five hundred dollars;**
- (4) For filing any paper, document, or report not filed under subdivision (1), (2), or (3) of this section but required to be filed in the office of the director, fifty dollars each;**
- (5) For affixing the seal of office of the director, ten dollars;**
- (6) For accepting each service of process upon the company, ten dollars.**

354.180. 1. [(1) The director may issue cease and desist orders whenever it appears to him upon competent and substantial evidence that any person is acting in violation of any law, rule or regulation relating to corporations subject to the provisions of sections 354.010 to 354.380, or whenever the director has reason to believe that any health services corporation is in such financial condition that the assumption of additional obligations would be hazardous to its members or the general public. Before any cease and desist order shall be issued, a copy of the proposed order together with an order to show cause why such cease and desist order should not be issued shall be served either personally or by certified mail on any person named therein.

(2) (a) Upon issuing any order to show cause, the director shall notify the person named therein that the person is entitled to a public hearing before the director if a request for a hearing is made in writing to the director within fifteen days from the day of the service of the order to show cause why the cease and desist order should not be issued.

(b) The cease and desist order shall be issued fifteen days after the service of the order to show cause if no request for a public hearing is made as above provided.

(c) Upon receipt of a request for a hearing, the director shall set a time and place for the hearing which shall not be less than ten days or more than fifteen days from the receipt of the request or as otherwise agreed upon by the parties. Notice of the time and place shall be given by the director not less than five days before the hearing.

(d) At the hearing the person may be represented by counsel and shall be entitled to be advised of the nature and source of any adverse evidence procured by the director and shall be given the opportunity to submit any relevant written or oral evidence in his behalf to show cause why the cease and desist order should not be issued.

(e) At the hearing the director shall have such powers as are conferred upon him in section 354.190.

(f) At the conclusion of the hearing, or within ten days thereafter, the director shall issue the cease and desist order as proposed or as subsequently modified or notify the person or corporation subject to the provisions of sections 354.010 to 354.380 that no order shall be issued, provided that where the director finds that the corporation is in such financial condition that the assumption of additional obligations would be hazardous to its members or the general public, he may order the corporation to cease and desist from making contracts for new members or for the provision of new benefits until the corporation's financial condition is no longer hazardous.

(g) The circuit court of Cole County shall have jurisdiction to review any cease and desist order of the director under the provisions of sections 536.100 to 536.150, RSMo; and, if any person against whom an order is issued fails to request judicial review, or if, after judicial review, the director's cease and desist order is upheld, the order shall become final.

2. (1) Any person willfully violating any provision of any cease and desist order of the director after it becomes final, while the same is in force, upon conviction thereof shall be guilty of a class A misdemeanor, punishable as provided by law.

(2) In addition to any other penalty provided, violation of any cease and desist order shall subject the violator to suspension or revocation of any certificate of authority or license as may be applicable under the laws of this state relating to corporations subject to the provisions of sections 354.010 to 354.380.

3. (1) When it appears to the director that there is a violation of the law, rule or regulation relating to corporations subject to the provisions of sections 354.010 to 354.380, and that the continuance of the acts or actions of any person as herein defined would produce injury to the public or to any other person in this state, or when it appears that a person is doing or threatening to do some act in violation of the laws of this state relating to corporations subject to the provisions of sections 354.010 to 354.380, the director may file a petition for injunction in the circuit court of Cole County, Missouri, in which he may ask for a temporary injunction or restraining order as well as a permanent injunction

to restrain the act or threatened act. In the event the temporary injunction or restraining order or a permanent injunction is issued by the circuit court of Cole County, Missouri, no person against whom the temporary injunction or restraining order or permanent injunction is granted shall do or continue to do any of the acts or actions complained of in the petition for injunction, unless and until the temporary injunction or restraining order or permanent injunction is vacated, dismissed or otherwise terminated.

(2) Any writ of injunction issued under this law may be served and enforced as provided by law in injunctions issued in other cases, but the director of the insurance department shall not be required to give any bond as preliminary to or in the course of any proceedings to which he is a party as director.

4. The term "person" as used in this section shall include any individual, partnership, corporation, association or trust, or any other legal entity.] **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 354.010 to 354.380 or a rule adopted or order issued pursuant thereto, or a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 354.010 to 354.380 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of these sections is a level two violation under section 374.049, RSMo, except for any violation of sections 354.320 and 354.350, which is a level three violation.**

2. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 354.010 to 354.380 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 354.010 to 354.380 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of these sections is a level two violation under section 374.049, RSMo, except for any violation of sections 354.320 and 354.350, which is a level three violation.

354.210. [1. Notwithstanding any other provisions of chapter 354,] **If the director [may, after a hearing, order as a forfeiture to the state of Missouri a sum not to exceed one hundred dollars for each violation by any person or corporation willfully violating any provision of sections 354.010 to 354.380 for which no specific punishment is provided, or order of the director made in accordance with such sections. Such forfeiture may be recovered by a civil action brought by and in the name of the director of insurance. The civil action may be brought in the county which has venue of an action against the person or corporation under other provisions of law.**

2. Nothing contained in this section shall be construed to prohibit the director and the corporation or its enrollment representative from agreeing to a voluntary forfeiture of the sum mentioned herein without civil proceedings being instituted. Any sum so agreed upon shall be paid into the school fund as provided by law for other fines and penalties] **has reason to believe that any health services corporation is in such financial condition that the assumption of additional obligations would be hazardous to its members or the general public, the director may issue orders or seek relief to protect the public under the provisions of section 354.180.**

354.350. 1. [When upon investigation the director finds that any] **It is unlawful for any** corporation subject to the provisions of sections 354.010 to 354.380 transacting business in this state [has conducted] **to:**

(1) **Conduct** its business fraudulently[, is not carrying] ;

(2) **Fail to carry** out its contracts in good faith[, or is] ; **or**

(3) Habitually and as a matter of business practice [compelling] **compel** claimants under policies or liability judgment creditors of its members to either accept less than the amount due under the terms of the policy or resort to litigation against the corporation to secure payment of the amount due[, and that a proceeding in respect thereto would be in the interest of the public, he shall issue and serve upon the corporation a statement of the charges in that respect and a notice of a hearing thereon].

2. [If after the hearing the director shall determine that the corporation subject to the provisions of sections 354.010 to 354.380 has fraudulently conducted its business as defined in this section, he shall order the corporation to cease and desist from the fraudulent practice and may suspend the corporation's certificate of authority for a period not to exceed thirty days and may in addition order a forfeiture to the state of Missouri of a sum not to exceed one thousand dollars, which forfeiture may be recovered by a civil action brought by and in the name of the director of insurance. The civil action may be brought in the circuit court of Cole County or, at the option of the director of insurance, in another county which has venue of an action against the corporation under other provisions of law] **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or**

course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. Each practice in violation of this section is a level two violation under section 374.049, RSMo. Each act as a part of a practice does not constitute a separate violation under section 374.049, RSMo. The director [of insurance] may also suspend or revoke the license or certificate of authority of a corporation subject to the provisions of sections 354.010 to 354.380 or enrollment representative for any such willful violation.

3. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. Each practice in violation of this section is a level two violation under section 374.049, RSMo. Each act as a part of a practice does not constitute a separate violation under section 374.049, RSMo.

354.400. As used in sections 354.400 to [354.535] **354.636**, the following terms shall mean:

(1) "Basic health care services", health care services which an enrolled population might reasonably require in order to be maintained in good health, including, as a minimum, emergency care, inpatient hospital and physician care, and outpatient medical services;

(2) "Community-based health maintenance organization", a health maintenance organization which:

(a) Is wholly owned and operated by hospitals, hospital systems, physicians, or other health care providers or a combination thereof who provide health care treatment services in the service area described in the application for a certificate of authority from the [department of insurance] **director**;

(b) Is operated to provide a means for such health care providers to market their services directly to consumers in the service area of the health maintenance organization;

(c) Is governed by a board of directors that exercises fiduciary responsibility over the operations of the health maintenance organization and of which a majority of the directors consist of equal numbers of the following:

a. Physicians licensed pursuant to chapter 334, RSMo;

b. Purchasers of health care services who live in the health maintenance organization's service area;

c. Enrollees of the health maintenance organization elected by the enrollees of such organization; and

d. Hospital executives, if a hospital is involved in the corporate ownership of the health maintenance organization;

(d) Provides for utilization review, as defined in section 374.500, RSMo, under the auspices of a physician medical director who practices medicine in the service area of the health maintenance organization, using review standards developed in consultation with physicians who treat the health maintenance organization's enrollees;

(e) Is actively involved in attempting to improve performance on indicators of health status in the community or communities in which the health maintenance organization is operating, including the health status of those not enrolled in the health maintenance organization;

(f) Is accountable to the public for the cost, quality and access of health care treatment services and for the effect such services have on the health of the community or communities in which the health maintenance organization is operating on a whole;

(g) Establishes an advisory group or groups comprised of enrollees and representatives of community interests in the service area to make recommendations to the health maintenance organization regarding the policies and procedures of the health maintenance organization;

(h) Enrolls fewer than fifty thousand covered lives;

(3) "Covered benefit" or "benefit", a health care service to which an enrollee is entitled under the terms of a health benefit plan;

(4) "Director", the director of the department of insurance, **financial and professional regulation**;

(5) "Emergency medical condition", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent lay person, possessing an average knowledge of health and medicine, to believe that immediate medical care is required, which may include, but shall not be limited to:

(a) Placing the person's health in significant jeopardy;

- (b) Serious impairment to a bodily function;
- (c) Serious dysfunction of any bodily organ or part;
- (d) Inadequately controlled pain; or
- (e) With respect to a pregnant woman who is having contractions:
 - a. That there is inadequate time to effect a safe transfer to another hospital before delivery; or
 - b. That transfer to another hospital may pose a threat to the health or safety of the woman or unborn child;
- (6) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;
- (7) "Enrollee", a policyholder, subscriber, covered person or other individual participating in a health benefit plan;
- (8) "Evidence of coverage", any certificate, agreement, or contract issued to an enrollee setting out the coverage to which the enrollee is entitled;
- (9) "Health care services", any services included in the furnishing to any individual of medical or dental care or hospitalization, or incident to the furnishing of such care or hospitalization, as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing, or healing human illness, injury, or physical disability;
- (10) "Health maintenance organization", any person which undertakes to provide or arrange for basic and supplemental health care services to enrollees on a prepaid basis, or which meets the requirements of section 1301 of the United States Public Health Service Act;
- (11) "Health maintenance organization plan", any arrangement whereby any person undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services and at least part of such arrangement consists of providing and assuring the availability of basic health care services to enrollees, as distinguished from mere indemnification against the cost of such services, on a prepaid basis through insurance or otherwise, and as distinguished from the mere provision of service benefits under health service corporation programs;
- (12) "Individual practice association", a partnership, corporation, association, or other legal entity which delivers or arranges for the delivery of health care services and which has entered into a services arrangement with persons who are licensed to practice medicine, osteopathy, dentistry, chiropractic, pharmacy, podiatry, optometry, or any other health profession and a majority of whom are licensed to practice medicine or osteopathy. Such an arrangement shall provide:
 - (a) That such persons shall provide their professional services in accordance with a compensation arrangement established by the entity; and
 - (b) To the extent feasible for the sharing by such persons of medical and other records, equipment, and professional, technical, and administrative staff;
- (13) "Medical group/staff model", a partnership, association, or other group:
 - (a) Which is composed of health professionals licensed to practice medicine or osteopathy and of such other licensed health professionals (including dentists, chiropractors, pharmacists, optometrists, and podiatrists) as are necessary for the provisions of health services for which the group is responsible;
 - (b) A majority of the members of which are licensed to practice medicine or osteopathy; and
 - (c) The members of which (i) as their principal professional activity over fifty percent individually and as a group responsibility engaged in the coordinated practice of their profession for a health maintenance organization; (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged salary or drawing account or other plan, or are salaried employees of the health maintenance organization; (iii) share medical and other records and substantial portions of major equipment and of professional, technical, and administrative staff; (iv) establish an arrangement whereby an enrollee's enrollment status is not known to the member of the group who provides health services to the enrollee;
- (14) "Person", any partnership, association, or corporation;
- (15) "Provider", any physician, hospital, or other person which is licensed or otherwise authorized in this state to furnish health care services;
- (16) "Uncovered expenditures", the costs of health care services that are covered by a health maintenance organization, but that are not guaranteed, insured, or assumed by a person or organization other than the health maintenance organization, or those costs which a provider has not agreed to forgive enrollees if the provider is not paid by the health maintenance organization.

354.435. 1. Every health maintenance organization shall annually, on or before March first, file a report, verified by at least two principal officers, with the director, covering its preceding calendar year.

2. Such report shall be on forms prescribed by the director and shall include:

- (1) A financial statement of the organization, including its balance sheet for the preceding calendar year;
- (2) Any material changes in the information submitted pursuant to subsection 3 of section 354.405;
- (3) The number of persons enrolled during the year, the number of enrollees, as of the end of the year, and the number of enrollments terminated during the year;
- (4) A statement setting forth the amount of uncovered and covered expenses that are payable and are more than ninety days past due for the period of August first through December thirty-first of the preceding year;
- (5) Such other information relating to the performance of the organization as is necessary to enable the director to carry out his duties under sections 354.400 to [354.550] **354.636**.

354.444. 1. [Notwithstanding any other provisions of chapter 354,] **If the director [may, after a hearing, order a forfeiture to the state of Missouri a sum not to exceed one hundred dollars for each violation by any person knowingly violating any provision] determines that a person has engaged, is engaged in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation** of sections 354.400 to 354.636 [for which no specific punishment is provided, or order a specific punishment in accordance with such sections. Such forfeiture may be recovered by a civil action brought by and in the name of the department of insurance. The civil action may be brought in the county which has venue for an action against the person or corporation] , **or a rule adopted or order issued pursuant thereto or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 354.400 to 354.636 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level one violation under section 374.049, RSMo.**

2. [Nothing contained in this section shall be construed to prohibit the director and the corporation or its enrollment representative from agreeing to a voluntary forfeiture of the sum mentioned herein without civil proceedings being instituted. Any payment under this section shall be paid into the school fund as provided by article IX, section 7 of the Missouri Constitution for fines and penalties] **If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 354.400 to 354.636, or a rule adopted or order issued pursuant thereto or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 354.400 to 354.636 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level one violation under section 374.049, RSMo.**

354.455. Unless otherwise provided in sections 354.400 to [354.550] **354.636**, each health maintenance organization shall deposit with the director, or with any organization or trustee acceptable to him through which a custodial or controlled account is utilized, cash, securities, or any combination of these or other measures acceptable to him, in the amount set forth in section 354.410.

354.460. No health maintenance organization, or representative thereof, may cause or knowingly permit the use of advertising which is untrue or misleading, solicitation which is untrue or misleading, or any form of evidence of coverage which is deceptive. For purposes of sections 354.400 to [354.550] **354.636**:

- (1) A statement or item of information shall be deemed to be untrue if it does not conform to fact in any respect which is or may be significant to an enrollee of, or person considering enrollment with, a health maintenance organization;
- (2) A statement or item of information shall be deemed to be misleading, whether or not it may be literally untrue, if, in the total context in which such statement is made or such item of information is communicated, such statement or item of information may be reasonably understood by a reasonable person, not possessing special knowledge regarding health care coverage, as indicating any benefit or advantage or the absence of any exclusion, limitation, or disadvantage of possible significance to an enrollee of, or person considering enrollment in, a health maintenance organization plan, if such benefit, advantage, or absence of limitation, exclusion, or disadvantage does not, in fact, exist;
- (3) An evidence of coverage shall be deemed to be deceptive if the evidence of coverage, taken as a whole, is misleading.

354.464. No health maintenance organization, unless licensed as an insurer, may use in its name, contracts, or literature any of the words "insurance", "casualty", "surety", "mutual", or any other words descriptive of the insurance, casualty, or surety business or deceptively similar to the name or description of any insurance or surety corporation doing business in this state when such words are deceptive or misleading. No person, if not in possession of a valid certificate of authority issued pursuant to sections 354.400 to [354.550] **354.636**, may use the phrase "health maintenance organization" or "HMO" in the course of its operation.

354.475. 1. An insurance company licensed in this state, or a health services corporation authorized to do business in this state, may directly or through a subsidiary or affiliate, organize and operate a health maintenance organization under the provisions of sections 354.400 to [354.550] **354.636** so long as they comply with the provisions of section 354.410 as applicable thereto. Notwithstanding any other law to the contrary, any two or more such insurance companies, health services corporations, or subsidiaries or affiliates thereof, may jointly organize and operate a health maintenance organization.

2. Notwithstanding any other provision of law pertaining to insurance and health services corporations to the contrary, an insurer or a health services corporation may contract with a health maintenance organization to provide insurance or similar protection against the cost of care provided through health maintenance organizations and to provide coverage in the event of the failure of the health maintenance organization to meet its obligations. The enrollees of a health maintenance organization shall be deemed to constitute a permissible group under such laws. Among other things, under such contracts, the insurer or health services corporation may make benefit payments to health maintenance organizations for health care services rendered by providers.

354.485. The director may promulgate such reasonable rules and regulations in accordance with chapter 536, RSMo, as are necessary or proper to carry out the provisions of sections 354.400 to [354.550] **354.636**.

354.495. Every health maintenance organization subject to sections 354.400 to [354.550] **354.636** shall pay to the director the following fees:

- | | |
|--|---------------|
| [(1) Issuance or renewal of certificate of authority | \$ 150.00 |
| (2) Filing of articles of amendment | 1.00 |
| (3) Filing each annual statement | 100.00 |
| (4) Filing articles of acceptance and issuing a certificate of acceptance | 20.00 |
| (5) Filing any other statement or report | 20.00 |
| (6) For the certification of any document, and affixing the seal thereto | 10.00 |
| (7) For filing statement and pertinent admission papers required of a foreign health maintenance organization | 200.00 |
| (8) For each appointment of an agent by the health maintenance organization | 5.00 |
| (9) For copies of papers, records and documents filed in the office of the director, an amount not to exceed, at the director's discretion | 1.00 per page |
| (10) For each service of process upon the director, on behalf of the health maintenance organization | 10.00] |
- (1) **For filing the declaration required on organization of each domestic company, two hundred fifty dollars;**
- (2) **For filing statement and certified copy of charter required of foreign companies, two hundred fifty dollars;**
- (3) **For filing application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk based capital report, report of valuation of policies or other obligations of assurance, and audited financial report of any company doing business in this state, one thousand five hundred dollars;**
- (4) **For filing any paper, document, or report not filed under subdivision (1), (2), or (3) of this section but required to be filed in the office of the director, fifty dollars each;**
- (5) **For affixing the seal of office of the director, ten dollars;**
- (6) **For accepting each service of process upon the company, ten dollars.**

354.500. 1. If the director shall for any reason have cause to believe that any violation of sections 354.400 to [354.550] **354.636** has occurred or is about to occur, the director may give notice to the health maintenance organization

and to the representatives, or other persons who appear to be involved in such suspected violation, to arrange a conference with the alleged violators, or potential violators, or their authorized representatives, for the purpose of attempting to ascertain the facts relating to such suspected or potential violation, and, in the event it appears that any violation has occurred or is about to occur, to arrive at an adequate and effective means of correcting or preventing such violation. Proceedings under this subsection shall not be governed by any formal procedural requirements, and may be conducted in such manner as the director may deem appropriate under the circumstances.

2. [The director may issue an order directing a health maintenance organization, or a representative of a health maintenance organization, to cease and desist from engaging in any act or practice in violation of the provisions of sections 354.400 to 354.550. Within twenty days after service of the order to cease and desist, the respondent may request a hearing on the question of whether acts or practices in violation of sections 354.400 to 354.550 have occurred. Such hearing shall be conducted, and judicial review shall be available, as provided in chapter 536, RSMo.

3. In the case of noncompliance with a cease and desist order issued pursuant to subsection 2 of this section, the director may institute a proceeding to obtain injunctive or other appropriate relief, in the circuit court.]

354.510. **Unless otherwise provided**, all applications, filings, and reports required under sections 354.400 to [354.550] **354.636** shall be treated as public documents.

354.530. If any section, term, or provision of sections 354.400 to [354.550] **354.636** shall be adjudged invalid for any reason, such judgment shall not affect, impair, or invalidate any other section, term, or provision of sections 354.400 to [354.550] **354.636**, but the remaining sections, terms, and provisions shall be and remain in full force and effect.

354.540. A health maintenance organization approved and regulated under the laws of another bordering state may be admitted to do business in this state by satisfying the director that it is fully and legally organized under the laws of its state, and that it complies with all requirements for health maintenance organizations organized within Missouri. The director may waive or modify the provisions of sections 354.400 to [354.550] **354.636** if he determines that the same are not appropriate or necessary to a particular health maintenance organization of another state.

354.545. The provisions of sections 354.400 to [354.550] **354.636** shall not apply to any labor organization's health plan providing services established and maintained solely for its members and their dependents, and facilities of not-for-profit corporations in existence on October 1, 1980, subject either to the provisions and regulations of section 302 of the Labor-Management Relations Act, 29 U.S.C. 186 or the Labor-Management Reporting and Disclosure Act, 29 U.S.C. 401-538.

354.550. The provisions of sections 354.400 to [354.550] **354.636** shall not apply to community health corporations as defined by Public Law 94-63 so long as such corporations limit their activities to those described in Public Law 94-63.

354.600. For purposes of sections 354.600 to 354.636 the following terms shall mean:

(1) ["Covered benefit" or "benefit", a health care service to which an enrollee is entitled under the terms of a health benefit plan;

(2) "Director", the director of the department of insurance;

(3) "Emergency medical condition", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent lay person, possessing an average knowledge of medicine and health, to believe that immediate medical care is required, which may include, but shall not be limited to:

(a) Placing the person's health in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain; or

(e) With respect to a pregnant woman who is having contractions:

a. That there is inadequate time to effect a safe transfer to another hospital before delivery; or

b. That transfer to another hospital may pose a threat to the health or safety of the woman or unborn child;

(4) "Emergency service", a health care item or service furnished or required to screen and stabilize an emergency medical condition, which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider;

(5) "Enrollee", a policyholder, subscriber, covered person or other individual participating in a health benefit plan;

(6) "Facility", an institution providing health care services or a health care setting, including but not limited to, hospitals and other licensed inpatient centers, ambulatory surgical or treatment centers, skilled nursing facilities, residential treatment centers, diagnostic, laboratory and imaging centers, and rehabilitation and other therapeutic health settings;

[(7)] (2) "Health benefit plan", a policy, contract, certificate or agreement entered into, offered or issued by a health carrier to provide, deliver, arrange for, pay for or reimburse any of the costs of health care services;

[(8)] (3) "Health care professional", a physician or other health care practitioner licensed, accredited or certified by the state of Missouri to perform specified health services;

[(9)] (4) "Health care provider" or "provider", a health care professional or a facility;

[(10)] "Health care service", a service for the diagnosis, prevention, treatment, cure or relief of a health condition, illness, injury or disease;

[(11)] (5) "Health carrier", a health maintenance organization established pursuant to sections 354.400 to 354.636;

[(12)] (6) "Health indemnity plan", a health benefit plan that is not a managed care plan;

[(13)] (7) "Intermediary", a person authorized to negotiate and execute provider contracts with health carriers on behalf of health care providers or on behalf of a network;

[(14)] (8) "Managed care plan", a health benefit plan that either requires an enrollee to use, or creates incentives, including financial incentives, for an enrollee to use health care providers managed, owned, under contract with or employed by the health carrier;

[(15)] (9) "Network", the group of participating providers providing services to a managed care plan;

[(16)] (10) "Participating provider", a provider who, under a contract with the health carrier or with its contractor or subcontractor, has agreed to provide health care services to enrollees with an expectation of receiving payment, other than coinsurance, co-payments or deductibles, directly or indirectly from the health carrier;

[(17)] "Person", an individual, a corporation, a partnership, an association, a joint venture, a joint stock company, a trust, an unincorporated organization, any similar entity or any combination of the foregoing; and

[(18)] (11) "Primary care professional" or "primary care provider", a participating health care professional designated by the health carrier to supervise, coordinate or provide initial care or continuing care to an enrollee, and who may be required by the health carrier to initiate a referral for specialty care and maintain supervision of health care services rendered to the enrollee.

354.722. 1. The director may suspend or revoke any certificate of authority issued to a prepaid dental plan corporation pursuant to sections 354.700 to 354.723 if he finds that any of the following conditions exist:

(1) The prepaid dental plan corporation is operating substantially in contravention of its basic organizational document or is not fulfilling its contracts;

(2) [The prepaid dental plan corporation issues a contract, contract certificate or amendment which has not been filed with the director and approved or deemed approved by the director;

(3)] The prepaid dental plan corporation is no longer financially responsible and may reasonably be expected to be unable to meet its contractual obligations to enrollees, or prospective enrollees;

[(4)] (3) The prepaid dental plan corporation, or any person on its behalf, has advertised or merchandised its prepaid dental benefits in an untrue, misrepresentative, misleading, deceptive or unfair manner;

[(5)] (4) The continued operation of the prepaid dental plan corporation would be hazardous to its enrollees; or

[(6)] (5) The prepaid dental plan corporation has failed to substantially comply with the provisions of sections 354.700 to 354.723 or any rules or regulations promulgated thereunder.

2. [When the director believes that grounds for the suspension or revocation of the corporation's certificate of authority exists, he shall notify the corporation in writing, stating the grounds and fixing a date and time for a hearing. At least twenty days' notice of such hearing shall be given. The hearing and any appeals therefrom shall be in accordance with chapter 536, RSMo.

3. The director may, in lieu of the suspension or revocation of the corporation's certification of authority, file suit in circuit court to seek a civil penalty in an amount not less than one hundred dollars nor more than one thousand dollars.

4.] If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 354.700 to 354.723 or a rule adopted or order issued pursuant thereto or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 354.700 to 354.723 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of this section is a level two violation under section 374.049, RSMo. The director may also suspend or revoke the certificate of authority of a corporation for any such willful violation.

3. When the certificate of authority of a prepaid dental plan corporation is suspended, the prepaid dental plan corporation shall not, during the period of such suspension, enroll any additional enrollees except newborn children or other newly acquired dependent of existing enrollees and shall not engage in any advertising or solicitation whatsoever.

[5.] 4. When the certificate of authority of a prepaid dental plan corporation is revoked, such corporation shall proceed, immediately following the effective date of the order of revocation, to wind up its affairs and shall conduct no further business except as may be essential to the orderly conclusion of the affairs of such corporation. It shall engage in no further advertising or solicitation whatsoever.

374.051. 1. Any applicant refused a license or the renewal of a license by order of the director under sections 374.755, 374.787, and 375.141, RSMo, may file a petition with the administrative hearing commission alleging that the director has refused the license. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in determining whether the applicant may be disqualified by statute. Notwithstanding section 621.120, RSMo, the director shall retain discretion in refusing a license or renewal and such discretion shall not transfer to the administrative hearing commission.

2. If a proceeding is instituted to revoke or suspend a license of any person under sections 374.755, 374.787, and 375.141, RSMo, the director shall refer the matter to the administrative hearing commission by directing the filing of a complaint. The administrative hearing commission shall conduct hearings and make findings of fact and conclusions of law in such cases. The director shall have the burden of proving cause for discipline. If cause is found, the administrative hearing commission shall submit its findings of fact and conclusions of law to the director, who may determine appropriate discipline.

3. Hearing procedures before the director or the administrative hearing commission and judicial review of the decisions and orders of the director and of the administrative hearing commission, and all other procedural matters under this chapter, shall be governed by the provisions of chapter 536, RSMo. Hearings before the administrative hearing commission shall also be governed by the provisions of chapter 621, RSMo.

374.055. 1. Except as otherwise provided, any interested person aggrieved by any order of the director under the laws of this state relating to insurance in this chapter, chapter 354, RSMo, and chapters 375 to 385, RSMo, or a rule adopted by the director, or by any refusal or failure of the director to make an order pursuant to any of said provisions, shall be entitled to a hearing before the director in accordance with the provisions of chapter 536, RSMo. A final order issued by the director is subject to judicial review in accordance with the provisions of chapter 536, RSMo. However, any findings of fact or conclusions of law in any order regarding the actual costs of the investigation or proceedings under section 374.046, or the classification of any violation under section 374.049, shall be subject to de novo review.

2. A rule adopted by the director is subject to judicial review in accordance with the provisions of chapter 536, RSMo.

3. Notwithstanding any other provision of law to the contrary, no person or entity shall impose an accident response service fee on or from an insurance company, the driver or owner of a motor vehicle, or any other person. As used in this section, the term "accident response service fee" means a fee imposed for the response or investigation by a local law enforcement agency of a motor vehicle accident.

374.150. 1. All fees due the state under the provisions of the insurance laws of this state shall be paid to the director of revenue and deposited in the state treasury to the credit of the insurance [department] dedicated fund unless otherwise provided for in subsection 2 of this section.

2. There is hereby established in the state treasury a special fund to be known as the "[Department of] Insurance Dedicated Fund". The fund shall be subject to appropriation of the general assembly and shall be devoted solely to the payment of expenditures incurred by the department [of insurance] attributable to duties performed by the department **for the regulation of the business of insurance, regulation of health maintenance organizations and the operation of the division of consumer affairs** as required by law which are not paid for by another source of funds. Other provisions of law to the contrary notwithstanding, beginning on January 1, 1991, all fees charged under any provision of chapter 325, 354, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 or 385, RSMo, due the state shall be paid into this fund. The state treasurer shall invest moneys in this fund in the same manner as other state funds and any interest or earnings on such moneys shall be credited to the [department of] insurance dedicated fund. The provisions of section 33.080, RSMo, notwithstanding, moneys in the fund shall not lapse, be transferred to or placed to the credit of the general revenue fund unless and then only to the extent to which the unencumbered balance at the close of the biennium year exceeds two times the total amount appropriated, paid, or transferred to the fund during such fiscal year.

[3. Notwithstanding the provisions of this section to the contrary, fifty-five percent of the balance in the department of insurance dedicated fund as of the effective date of this act or six million fifteen thousand eight hundred and fifty-five dollars, whichever is greater, shall be subject to an immediate one-time transfer to the state general revenue fund.]

374.160. 1. The expenses of examinations, valuations or proceedings against any company, and for dissolving or settling the affairs of companies are to be paid by the company, or as provided by law. The state shall not be responsible in any manner for the payment of any such expenses, or any charges connected therewith.

2. **At the request of the director, every domestic insurance company or health maintenance organization subject to an order of conservation, rehabilitation, or liquidation shall reimburse the insurance dedicated fund for administrative services rendered by state employees to the company. Reimbursement shall include that portion of the employee's salary, state benefits, and expenses that specifically relates to the services rendered on behalf of the company.**

3. All other expenses of the department of insurance, **financial institutions and professional registration** now or hereafter incurred and unpaid, or that may be hereafter incurred, including the salaries of the director and deputy director, shall be paid out of the state treasury in the manner provided by law.

[3.]4. The director shall assess the expenses of any examination against the company examined and shall order that the examination expenses be paid into the insurance examiners fund created by section 374.162. [The director shall also assess an additional amount equal to fifteen percent of the total expenses of examination, to be paid for the supervision and support of the examiners. The insurance examiner's sick leave fund created by sections 374.261 to 374.267 shall be combined with the insurance examiners fund.] **This assessment shall include the costs of compensation, including benefits, for the examiners, analysts, actuaries, and attorneys directly contributing to the examination of the company, any reasonable travel, lodging, and meal expenses related to an on-site examination, and other expenses related to the examination of the company, including an allocation for examiners' office space, supplies, and equipment, but not expenses associated with attending a course, seminar, or meeting, unless solely related to the examination of the company assessed.** The director shall pay from the insurance examiners fund the compensation of insurance examiners [pursuant to section 374.115, any expenses to be paid from such sick leave fund under sections 374.261 to 374.267], **analysts, actuaries, and attorneys, including standard benefits afforded to state employees, for performance of any such examination and other expenses** [incurred for supervision and support of the examiners] **covered in the assessment.** The general assembly shall annually provide appropriations sufficient to distribute all receipts into the insurance examiners fund. The provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund shall not apply to the insurance examiners fund.

[4.]5. If any company shall refuse to pay the expenses of any examination, valuation or proceeding assessed by the director pursuant to this section, the company shall be liable for double the amount of such expenses and all costs of collection, including attorney's fees. The company shall not be entitled to a credit, pursuant to section 148.400, RSMo, for any fees, expenses or costs ordered pursuant to this subsection other than in the amount of the expenses originally assessed by the director. All amounts collected pursuant to this subsection shall be credited to the insurance examiners fund.

374.185. 1. **The director may cooperate, coordinate, and consult with other members of the National Association of Insurance Commissioners, the commissioner of securities, state securities regulators, the division**

of finance, the division of credit unions, the attorney general, federal banking and securities regulators, the National Association of Securities Dealers (NASD), the United States Department of Justice, the Commodity Futures Trading Commission, and the Federal Trade Commission to effectuate greater uniformity in insurance and financial services regulation among state and federal governments, and self-regulatory organizations. The director may share records with any aforesaid entity, except that any record that is confidential, privileged, or otherwise protected from disclosure by law shall not be disclosed unless such entity agrees in writing prior to receiving such record to provide it the same protection. No waiver of any applicable privilege or claim of confidentiality regarding any record shall occur as the result of any disclosure.

2. In cooperating, coordinating, consulting, and sharing records and information under this section and in acting by rule, order, or waiver under the laws relating to insurance, the director shall, at the discretion of the director, take into consideration in carrying out the public interest the following general policies:

- (1) Maximizing effectiveness of regulation for the protection of insurance consumers;
- (2) Maximizing uniformity in regulatory standards; and
- (3) Minimizing burdens on the business of insurance, without adversely affecting essentials of consumer protection.

3. The cooperation, coordination, consultation, and sharing of records and information authorized by this section includes:

- (1) Establishing or employing one or more designees as a central electronic depository for licensing and rate and form filings with the director and for records required or allowed to be maintained;
- (2) Encouraging insurance companies and producers to implement electronic filing through a central electronic depository;
- (3) Developing and maintaining uniform forms;
- (4) Conducting joint market conduct examinations and other investigations through collaboration and cooperation with other insurance regulators;
- (5) Holding joint administrative hearings;
- (6) Instituting and prosecuting joint civil or administrative enforcement proceedings;
- (7) Sharing and exchanging personnel;
- (8) Coordinating licensing under section 375.014, RSMo;
- (9) Formulating rules, statements of policy, guidelines, forms, no action determinations, and bulletins; and
- (10) Formulating common systems and procedures.

374.208. The director shall study and recommend to the General Assembly changes to avoid unnecessary duplication of market conduct activities and to implement uniform processes and procedures for market analysis and market conduct examinations which will more effectively utilize resources to protect insurance consumers. The study shall be completed and recommendations provided by January 1, 2008.

374.210. 1. It is unlawful for, any person [testifying falsely in reference to any matter material to the investigation, examination or inquiry shall be deemed guilty of perjury.] in any investigation, examination, inquiry, or other proceeding under this chapter, chapter 354, RSMo, and chapters 375 to 385, RSMo, to:

[2. Any person who shall refuse to give such director full and truthful information, and answer in writing to any inquiry or question made in writing by the director, in regard to the business of insurance carried on by such person, or to appear and testify under oath before the director in regard to the same, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding three months.

3. Any director, officer, manager, agent or employee of any insurance company, or any other person, who shall]

(1) Knowingly make or cause to be made a false statement upon oath or affirmation or in any record that is submitted to the director or used in any proceeding under this chapter, chapter 354, RSMo, and chapters 375 to 385, RSMo; or

(2) Make any false certificate or entry or memorandum upon any of the books or papers of any insurance company, or upon any statement or exhibit offered, filed or offered to be filed in the [insurance] department, or used in the course of any examination, inquiry, or investigation[, with intent to deceive the director or any person employed or appointed by him to make any examination, inquiry or investigation, shall, upon conviction, be punished by a fine not

exceeding one thousand dollars, and by imprisonment not less than two months in the county or city jail, nor more than five years in the penitentiary] **under this chapter, chapter 354, RSMo, and chapters 375 to 385, RSMo.**

2. If a person does not appear or refuses to testify, file a statement, produce records, or otherwise does not obey a subpoena as required by the director, the director may apply to the circuit court of any county of the state or any city not within a county, or a court of another state to enforce compliance. The court may:

- (1) Hold the person in contempt;**
- (2) Order the person to appear before the director;**
- (3) Order the person to testify about the matter under investigation or in question;**
- (4) Order the production of records;**
- (5) Grant injunctive relief;**
- (6) Impose a civil penalty of up to fifty thousand dollars for each violation; and**
- (7) Grant any other necessary or appropriate relief.**

The director may also suspend, revoke or refuse any license or certificate of authority issued by the director to any person who does not appear or refuses to testify, file a statement, produce records, or does not obey a subpoena.

3. This section does not preclude a person from applying to the circuit court of any county of the state or any city not within a county for relief from a request to appear, testify, file a statement, produce records, or obey a subpoena.

4. A person is not excused from attending, testifying, filing a statement, producing a record or other evidence, or obeying a subpoena of the director under an action or proceeding instituted by the director on the grounds that the required testimony, statement, record, or other evidence, directly or indirectly, may tend to incriminate the individual or subject the individual to a criminal fine, penalty, or forfeiture. If the person refuses to testify, file a statement, or produce a record or other evidence on the basis of the individual's privilege against self-incrimination, the director may apply to the circuit court of any county of the state or any city not within a county to compel the testimony, the filing of the statement, the production of the record, or the giving of other evidence. The testimony, record, or other evidence compelled under such an order may not be used as evidence against the person in a criminal case, except in a prosecution for perjury or contempt or otherwise failing to comply with the order.

5. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section, or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046. A violation of subsection 1 of this section is a level four violation under section 374.049. The director may also suspend or revoke the license or certificate of authority of such person for any willful violation.

6. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048. A violation of subsection 1 of this section is a level four violation under section 374.049.

7. Any person who knowingly engages in any act, practice, omission, or course of business in violation of subsection 1 of this section is guilty of a class D felony. If the offender holds a license or certificate of authority under the insurance laws of this state, the court imposing sentence shall order the department to revoke such license or certificate of authority.

8. The director may refer such evidence as is available concerning violations of this section to the proper prosecuting attorney, who with or without a criminal reference, or the attorney general under section 27.030, RSMo, may institute the appropriate criminal proceedings.

9. Nothing in this section shall limit the power of the state to punish any person for any conduct that constitutes a crime under any other state statute.

374.215. 1. If any insurance company **or other entity regulated by the director** doing business in this state fails to timely make and file any statutorily required report or statement, the department [of insurance] shall notify such company **or entity** of such failure by first class mail. Any company **or entity** notified by the department [of insurance]

pursuant to this section shall [have] **file such report or statement within** fifteen days [to make and file such report. If such company fails to make and file such report within the fifteen days, it shall forfeit one hundred dollars for each day after the fifteen-day grace period expires.

2. Any insurance company doing business in this state which knowingly or intentionally files or which has filed on its behalf any materially false report or statement forfeits not more than one thousand dollars.

3. Any forfeiture required or permitted by this section shall be considered a civil penalty which the director of the department of insurance may order pursuant to the provisions of sections 374.040 and 374.280] **of receiving notification. After the expiration of such fifteen days, each day in which the company or entity fails to file such report or statement is a separate violation of this section.**

2. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046. A violation of this section is a level two violation under section 374.049. The director may also suspend or revoke the certificate of authority of such person for any willful violation.

3. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048. A violation of this section is a level two violation under section 374.049.

374.230. Every insurance company doing business in this state shall pay to the director of revenue the following fees:

(1) [For making valuations of policies or other obligations of assurance, one thousand dollars for all ordinary forms of policies, and the cost of computing special evaluation tables for policy forms requiring such shall be added;
(2)] For filing the declaration required on organization of each **domestic** company, **two hundred** fifty dollars;
[(3)] **(2)** For filing statement and certified copy of charter required of foreign companies, **two hundred** fifty dollars;

[(4)] **(3)** For filing **application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk based capital report, report of valuation of policies or other obligations of assurance, and audited financial report** annual statement of any company doing business in this state, [two hundred fifty] **one thousand five hundred** dollars;

[(5)] **(4)** For filing supplementary annual statement of any company doing business in this state, [ten] **fifty** dollars;

[(6)] **(5)** For filing any [other] paper, **document, or report not filed under subdivision (1), (2), or (3), but** required to be filed in the office of the director [of the department of insurance], fifty dollars each;

[(7)] **(6)** For [each agent's] **a** copy of [his] **a** company's certificate of authority or **producer or agent** license, [two] **ten** dollars;

[(8)] For copies of papers, records, and documents filed in the office of the director of the department of insurance, twenty cents per folio;

[(9)] **(7)** For affixing the seal of office of the director [of the department of insurance], ten dollars;

[(10)] **(8)** For accepting each service of process upon the company, ten dollars.

374.280. 1. [Notwithstanding any other provisions of chapters 374, 375, 376, 377, 378 and 379, RSMo.] The director may, after a hearing **under section 374.046**, order a **civil penalty or** forfeiture **payable** to the state of Missouri [a sum not to exceed one hundred dollars for each violation by any person, partnership or corporation knowingly violating any provision of chapters 374, 375, 376, 377, 378 and 379, RSMo, or order of the director of insurance made in accordance with those chapters] **authorized by section 374.049**, which **penalty or** forfeiture, **if unpaid within ten days**, may be recovered by a civil action brought by and in the name of the director [of insurance] **under section 374.048**. The civil action may be brought in the county which has venue of an action against the person, partnership or corporation under other provisions of law. The director [of insurance] may also suspend or revoke the license [of an insurer, agent, broker or agency] **or certificate of authority of such person** for any willful violation.

2. Nothing contained in this section shall be construed to prohibit the director and [the insurer, agent, broker or agency] **any person subject to an investigation, examination, or other proceeding** from agreeing to a voluntary forfeiture of the sum mentioned herein without civil proceedings being instituted. Any sum so agreed upon shall be paid into the school fund as provided by law for other fines and penalties.

374.285. Except as provided in section 375.141, RSMo, all records of disciplinary actions against an insurance [agent, broker, agency or] producer which resulted in a [voluntary] forfeiture **or other monetary relief** of two hundred dollars or less **and places no other legal duty upon the producer** shall be expunged after a period of five years from the date of the execution of the [voluntary forfeiture] **order or settlement agreement** by the director [of the department of insurance].

374.512. 1. Whenever the director has reason to believe that a utilization review agent subject to sections 374.500 to 374.515 has been or is engaged in conduct which violates the provisions of sections 374.500 to 374.515, the director shall notify the utilization review agent of the alleged violation. The utilization review agent shall have thirty days from the date the notice is received to respond to the alleged violation.

2. If the director [believes] **determines** that the utilization review agent has [violated the provisions of sections 374.500 to 374.515, or is not satisfied that the alleged violation has been corrected, he shall conduct a hearing on the alleged violation, in accordance with chapter 536, RSMo] **engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 374.500 to 374.515 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 374.500 to 374.515 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046. A violation of any of these sections is a level two violation under section 374.049. The director may also suspend or revoke the license or certificate of authority of such person for any willful violation.**

3. [If, after such hearing, the director determines that the utilization review agent has engaged in violations of sections 374.500 to 374.515, he shall reduce his findings to writing and shall issue and cause to be served upon the utilization review agent a copy of such findings and an order requiring the utilization review agent to cease and desist from engaging in such violations. The director may also, at his discretion, order:

(1) Payment of a monetary penalty of not more than ten thousand dollars for a violation which occurred if the utilization review agent consciously disregarded sections 374.500 to 374.515 or which occurred with such frequency as to indicate a general business practice; or

(2) Suspension or revocation of the authority to do business in this state as a utilization review agent if the utilization review agent knew that it was in violation of sections 374.500 to 374.515] **If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 374.500 to 374.515 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 374.500 to 374.515 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048. A violation of any of these sections is a level two violation under section 374.049.**

375.012. 1. **Sections 375.012 to 375.146 may be cited as the "Insurance Producers Act".**

2. As used in sections 375.012 to 375.158, the following words mean:

(1) "Business entity", a corporation, association, partnership, limited liability company, limited liability partnership or other legal entity;

(2) "Director", the director of the department of insurance, **financial and professional regulation**;

(3) "Home state", the District of Columbia and any state or territory of the United States in which the insurance producer maintains his or her principal place of residence or principal place of business and is licensed to act as an insurance producer;

(4) "Insurance", any line of authority, including life, accident and health or sickness, property, casualty, variable life and variable annuity products, personal, credit and any other line of authority permitted by state law or regulation;

(5) "Insurance company" or "insurer", any person, reciprocal exchange, interinsurer, Lloyds insurer, fraternal benefit society, and any other legal entity engaged in the business of insurance, including health services corporations, health maintenance organizations, prepaid limited health care service plans, dental, optometric and other similar health

service plans, unless their exclusion from this definition can be clearly ascertained from the context of the particular statutory section under consideration. Insurer shall also include all companies organized, incorporated or doing business pursuant to the provisions of chapters 375, 376, 377, 378, 379, 381 and 384, RSMo. Trusteed pension plans and profit-sharing plans qualified pursuant to the United States Internal Revenue Code as now or hereafter amended shall not be considered to be insurance companies or insurers within the definition of this section;

(6) "Insurance producer" or "producer", a person required to be licensed pursuant to the laws of this state to sell, solicit or negotiate insurance;

(7) "License", a document issued by the director authorizing a person to act as an insurance producer for the lines of authority specified in the document. The license itself shall not create any authority, actual, apparent or inherent, in the holder to represent or commit an insurance company;

(8) "Limited line credit insurance", credit life, credit disability, credit property, credit unemployment, involuntary unemployment, mortgage life, mortgage guaranty, mortgage disability, guaranteed automobile protection (GAP) insurance, and any other form of insurance offered in connection with an extension of credit that is limited to partially or wholly extinguishing that credit obligation that the director determines should be designated a form of limited line credit insurance;

(9) "Limited line credit insurance producer", a person who sells, solicits or negotiates one or more forms of limited line credit insurance coverage through a master, corporate, group or individual policy;

(10) "Limited lines insurance", insurance involved in credit transactions, insurance contracts issued primarily for covering the risk of travel or any other line of insurance that the director deems necessary to recognize for the purposes of complying with subsection 5 of section 375.017;

(11) "Limited lines producer", a person authorized by the director to sell, solicit or negotiate limited lines insurance;

(12) "Negotiate", the act of conferring directly with or offering advice directly to a purchaser or prospective purchaser of a particular contract of insurance concerning any of the substantive benefits, terms or conditions of the contract, provided that the person engaged in that act either sells insurance or obtains insurance from insurers for purchasers;

(13) "Person", an individual or any business entity;

(14) "Personal lines insurance", property and casualty insurance coverage sold to individuals and families for primarily noncommercial purposes;

(15) "Sell", to exchange a contract of insurance by any means, for money or its equivalent, on behalf of an insurance company;

(16) "Solicit", attempting to sell insurance or asking or urging a person to apply for a particular kind of insurance from a particular company;

(17) "Terminate", the cancellation of the relationship between an insurance producer and the insurer or the termination of the authority of the producer to transact the business of insurance;

(18) "Uniform business entity application", the current version of the National Association of Insurance Commissioners uniform business entity application for resident and nonresident business entities seeking an insurance producer license;

(19) "Uniform application", the current version of the National Association of Insurance Commissioners uniform application for resident and nonresident producer licensing.

[2.] 3. All statutory references to "insurance agent" or "insurance broker" shall mean "insurance producer", as that term is defined pursuant to subsection 1 of this section.

375.020. 1. Beginning January 1, [1990] **2008**, each insurance producer, unless exempt pursuant to section 375.016, licensed to sell insurance in this state shall successfully complete courses of study as required by this section. Any person licensed to act as an insurance producer shall, during each two years, attend courses or programs of instruction or attend seminars equivalent to a minimum of [ten] **sixteen** hours of instruction [for a life or accident and health license or both a life and an accident and health license and a minimum ten hours of instruction for a property or casualty license or both a property and a casualty license. Sixteen hours of training will suffice for those with a life, health, accident, property and casualty license]. Of the sixteen hours' training required [above] **in this subsection**, the hours need not be divided equally **among the lines of authority in which the producer has qualified**. The courses or programs **attended by the producer during each two-year period** shall include instruction on Missouri law, **products offered in any line of authority in which the producer is qualified, producers' duties and obligations to**

the department, and business ethics, including sales suitability. Course credit shall be given to members of the general assembly as determined by the department.

2. Subject to approval by the director, the courses or programs of instruction which shall be deemed to meet the director's standards for continuing educational requirements shall include, but not be limited to, the following:

- (1) American College Courses (CLU, ChFC);
- (2) Life Underwriters Training Council (LUTC);
- (3) Certified Insurance Counselor (CIC);
- (4) Chartered Property and Casualty Underwriter (CPCU);
- (5) Insurance Institute of America (IIA);
- (6) **Any other professional financial designation approved by the director by rule;**

(7) An insurance-related course taught by an accredited college or university or qualified instructor who has taught a course of insurance law at such institution;

[(7)] (8) A course or program of instruction or seminar developed or sponsored by any authorized insurer, recognized producer association or insurance trade association. A local producer group may also be approved if the instructor receives no compensation for services.

3. A person teaching any approved course of instruction or lecturing at any approved seminar shall qualify for the same number of classroom hours as would be granted to a person taking and successfully completing such course, seminar or program.

4. Excess [classroom] hours accumulated during any two-year period may be carried forward to the two-year period immediately following the two-year period in which the course, program or seminar was held.

5. For good cause shown, the director may grant an extension of time during which the educational requirements imposed by this section may be completed, but such extension of time shall not exceed the period of one calendar year. The director may grant an individual waiver of the mandatory continuing education requirement upon a showing by the licensee that it is not feasible for the licensee to satisfy the requirements prior to the renewal date. Waivers may be granted for reasons including, but not limited to:

- (1) Serious physical injury or illness;
- (2) Active duty in the armed services for an extended period of time;
- (3) Residence outside the United States; or
- (4) The licensee is at least seventy years of age.

6. Every person subject to the provisions of this section shall furnish in a form satisfactory to the director, written certification as to the courses, programs or seminars of instruction taken and successfully completed by such person. Every provider of continuing education courses authorized in this state shall, within thirty working days of a licensed producer completing its approved course, provide certification to the director of the completion in a format prescribed by the director.

7. The provisions of this section shall not apply to those natural persons holding licenses for any kind or kinds of insurance for which an examination is not required by the law of this state, nor shall they apply to any limited lines insurance producer license or restricted license as the director may exempt.

8. The provisions of this section shall not apply to a life insurance producer who is limited by the terms of a written agreement with the insurer to transact only specific life insurance policies having an initial face amount of five thousand dollars or less, or annuities having an initial face amount of ten thousand dollars or less, that are designated by the purchaser for the payment of funeral or burial expenses. The director may require the insurer entering into the written agreements with the insurance producers pursuant to this subsection to certify as to the representations of the insurance producers.

9. Rules and regulations necessary to implement and administer this section shall be promulgated by the director, including, but not limited to, rules and regulations regarding the following:

(1) Course content and hour credits: The insurance advisory board established by section 375.019 shall be utilized by the director to assist him in determining acceptable content of courses, programs and seminars to include classroom equivalency;

(2) Filing fees for course approval: Every applicant seeking approval by the director of a continuing education course under this section shall pay to the director a filing fee of fifty dollars per course. Fees shall be waived for state and local insurance producer groups. Such fee shall accompany any application form required by the director. Courses shall be approved for a period of no more than one year. Applicants holding courses intended to be offered for a longer period must reapply for approval. Courses approved by the director prior to August 28, 1993, for which continuous certification is sought should be resubmitted for approval sixty days before the anniversary date of the previous approval.

10. All funds received pursuant to the provisions of this section shall be transmitted by the director to the department of revenue for deposit in the state treasury to the credit of the [department of] insurance dedicated fund. All expenditures necessitated by this section shall be paid from funds appropriated from the [department of] insurance dedicated fund by the legislature.

375.143. In order to effectuate and aid in the interpretation of section 375.141, the director, under section 374.045, RSMo, may adopt rules and regulations codifying professional standards of producer competency and trustworthiness in the handling of applications, premium funds, conflicts of interest, record-keeping, supervision of others, and customer suitability.

375.145. 1. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.012 to 375.144 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.012 to 375.144, or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of sections 375.012 to 375.142 is a level two violation under section 374.049, RSMo. A violation of section 375.144 is a level four violation under 374.049, RSMo.

2. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of sections 375.012 to 375.142 is a level two violation under section 374.049, RSMo. A violation of section 375.144 is a level four violation under 374.049, RSMo.

375.152. 1. [If the director finds after a hearing conducted in accordance with chapter 536, RSMo, that any person has violated the provisions of sections 375.147 to 375.153, the director may order:

(1) For each separate violation, imposition of an administrative penalty in an amount of five hundred dollars. All moneys collected as a result of imposition of such penalties shall be transferred to the state treasurer for deposit to general revenue of the state;

(2) Revocation or suspension of the producer's license, provided that such action may be taken only after compliance with chapter 621, RSMo;

(3) **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.147 to 375.153 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.147 to 375.153 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.**

2. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.147 to 375.153 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.147 to 375.153 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation under any of these sections is a level two violation under section 374.049, RSMo. In addition to the relief available in this section, the director may also order the managing general agent to reimburse the insurer, the rehabilitator or liquidator of the insurer, for any losses incurred by the insurer caused by a violation of sections 375.147 to 375.153 committed by the managing general agent.

[2. The decision, determination or order of the director made pursuant to subsection 1 of this section shall be subject to judicial review pursuant to sections 536.100 to 536.140, RSMo.]

3. Nothing contained in this section shall affect the right of the director to impose any other penalties provided for in the insurance law.

4. Nothing contained in sections 375.147 to 375.153 is intended to or shall in any manner limit or restrict the rights of policyholders, claimants and creditors.

375.236. Other provisions of law notwithstanding, the director may suspend or revoke, after a hearing, the certificate of authority or license of any insurance company including a reciprocal or interinsurance exchange for the same reasons and upon the same grounds as set forth in section [375.560] **374.047, RSMo.**

375.306. 1. It [shall not be lawful] **is unlawful** for any person to act within this state as agent, **producer**, or otherwise, in receiving or procuring applications for insurance, or in any manner to aid in transacting the business referred to in [sections 375.010 to 375.920] **this chapter** for any company or association doing business in this state, unless the company is possessed of the amount of capital and of actual paid-up capital, or of premium notes, cash premiums or guarantee fund, of the kind, character and amounts required of companies organized under the provisions of [sections 375.010 to 375.920] **this chapter.**

2. The guarantee fund of companies other than those of this state shall be deposited with the proper officer of the state or country under the laws of which the company is organized, or with the director [of the insurance department of this state], in the manner provided by section 379.050, RSMo, in regard to the making of such deposit by companies organized under [sections 375.010 to 375.920] **this chapter.**

3. Whenever any insurance company doing business in this state advertises its assets, either in any newspaper or periodical, or by any sign, circular, card, policy of insurance or certificate of renewal thereof, it shall, in the same connection, equally conspicuously advertise its liabilities, and the amount of its assets available for fire and life losses separately, the same to be determined in the manner required in making statement to the [insurance] department, and all advertisements purporting to show the amount of capital of the company shall show only the amount of capital actually paid up in cash.

4. [Any insurance company or agent thereof violating the provisions of this section shall be liable to a fine of not less than fifty dollars nor more than five hundred dollars] **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of this section is a level two violation under section 374.049, RSMo.**

5. **If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of this section is a level two violation under section 374.049, RSMo.**

375.310. 1. **It is unlawful for any person, association of individuals, [and] or any corporation [transacting] to transact** in this state any insurance business[, without being] **unless the person, association, or corporation is duly** authorized by the director [of the insurance department of this state so to do, or after the authority so to do has been suspended, revoked, or has expired, shall be subject to suit by the director who may institute proceedings in the circuit court of the county or city in which said company was organized, or in which it has, or last had, its principal or chief office or place of business, or in the county of Cole, to enjoin said company from the further transaction of its business, either temporarily or perpetually, and for such other decrees and relief as the court shall deem advisable; or said association of individuals or corporation shall be liable to a penalty of two hundred and fifty dollars for each offense, which penalty may be recovered by ordinary civil action in the name of the state, and shall, when recovered, become part of the school fund, as by law provided for other fines and penalties; suit for said penalty may be brought by the attorney general, the director of the insurance department, or any county, circuit or prosecuting attorney, in either the city or county in which the policy was delivered, or in which the money was paid to any agent of such association or corporation, or in which the receipt was delivered, or in any county or city in which an attorney for service or any agent of said association or corporation may be found; and if the plaintiff recover, an attorney fee to be allowed by the court for each cause of action upon which recovery is had shall be taxed as and added to the costs; service shall be made of process in any such action, either as in other civil actions or as provided in sections 375.010 to 375.920 for service on insurance companies] **under a certificate of authority or appropriate licensure, or is an insurance company exempt from certification under section 375.786.**

2. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of this section is a level four violation under section 374.049, RSMo.

3. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of this section is a level four violation under section 374.049, RSMo.

4. Any person who knowingly engages in any act, practice, omission, or course of business in violation of this section is guilty of a class D felony.

5. The director may refer such evidence as is available concerning violations of this chapter to the proper prosecuting attorney, who with or without a criminal reference, or the attorney general under section 27.030, RSMo, may institute the appropriate criminal proceedings.

6. Nothing in this section shall limit the power of the state to punish any person for any conduct that constitutes a crime under any other state statute."; and

Further amend said bill, Section 375.345, Pages 4 through 9, by inserting after all of said section the following:

"375.445. 1. [When upon investigation the director finds that] **It is unlawful for any insurance company transacting business [in] under the laws of this state [has conducted] to:**

(1) **Conduct** its business fraudulently[, is not carrying] ;

(2) **Fail to carry** out its contracts in good faith[, or is] ; or

(3) Habitually and as a matter of business practice compelling claimants under policies or liability judgment creditors of the insured to either accept less than the amount due under the terms of the policy or resort to litigation against the company to secure payment of the amount due[, and that a proceeding in respect thereto would be in the interest of the public, he shall issue and serve upon the company a statement of the charges in that respect and a notice of a hearing thereon].

2. [If after the hearing the director shall determine that the company has fraudulently conducted its business as defined in this section, he shall order the company to cease and desist from the fraudulent practice and may suspend the company's certificate of authority for a period not to exceed thirty days and may in addition order a forfeiture to the state of Missouri of a sum not to exceed one thousand dollars, which forfeiture may be recovered by a civil action brought by and in the name of the director of insurance. The civil action may be brought in the circuit court of Cole County or, at the option of the director of insurance, in another county which has venue of an action against the person, partnership or corporation under other provisions of law] **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. Each practice in violation of this section is a level two violation under section 374.049, RSMo. Each act as a part of a practice does not constitute a separate violation under section 374.049, RSMo. The director [of insurance] may also suspend or revoke the license [of an insurer or agent] or certificate of authority of such person for any [such] willful violation.**

3. **If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. Each practice violation of this section is a level two violation under section 374.049, RSMo. Each act as part of a practice does not constitute a separate violation under section 374.049, RSMo.**"; and

Further amend said bill, Section 375.534, Pages 10 and 11, by inserting after all of said section the following:

"375.720. 1. Whenever, by chapter 375, or by any other law of this state, the director is authorized or required to take possession of any of the general assets of any insurer, **it is unlawful for** any person or company [who shall] to knowingly neglect or refuse to deliver to the director, on [his] order or demand **of the director**, any books, papers, evidences of title or debt, or any property belonging to any such insurer in its, his or their possession, or under his, its or their control[, shall be guilty of a class C felony].

2. **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of this section is a level three violation under section 374.049, RSMo. The director may also suspend or revoke the license or certificate of authority of such person for any willful violation.**

3. **If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of this section is a level three violation under section 374.049, RSMo.**

4. **Any person who knowingly engages in any act, practice, omission, or course of business in violation of this section is guilty of a class C felony. If the offender holds a license or certificate of authority under the insurance laws of this state, the court imposing sentence shall order the director to revoke such license.**

5. **The director may refer such evidence as is available concerning violations of this section to the proper prosecuting attorney, who with or without a criminal reference, or the attorney general under section 27.030, RSMo, may institute the appropriate criminal proceedings.**

6. **Nothing in this section shall limit the power of the state to punish any person for any conduct that constitutes a crime under any other state statute.**

375.777. 1. The director shall:

(1) Notify the association of the existence of an insolvent insurer not later than three days after he receives notice of the determination of the insolvency;

(2) Upon request of the board of directors, provide the association with a statement of the net direct written premiums of each member insurer; and

(3) Notify the agents of the insolvent insurer of the determination of insolvency and of the insureds' rights under sections 375.771 to 375.779. Such notification shall be by first class mail at their last known address, where available, but if sufficient information for notification by mail is not available, notice by publication in a newspaper of general circulation shall be sufficient.

2. The director may[:

(1)] require each agent of the insolvent insurer to give prompt written notice, by first class mail, at the insured's last known address, to each insured of the insolvent insurer for whom he was agent of record, provided the agent has received the notification of subsection 1 of this section[; and

(2) Suspend or revoke, after notice and hearing, the certificate of authority to transact insurance in this state of] .

3. **It is unlawful for** any member insurer [which fails] **to fail** to pay an assessment when due or [fails] **fail** to comply with the plan of operation. [As an alternative, the director may levy an administrative penalty on any member insurer which fails to pay an assessment when due. Such administrative penalty shall not exceed five percent of the unpaid assessment per month, except that no administrative penalty shall be less than one hundred dollars per month.

3. Any final action or order of the director under this section shall be subject to judicial review in the circuit court of Cole County] **Every day in which the member insurer fails to pay is a separate violation.**

4. **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant**

thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of this section is a level two violation under section 374.049, RSMo. The director may also suspend or revoke the license or certificate of authority of such person for any willful violation.

5. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of this section is a level two violation under section 374.049, RSMo.

375.780. [Every violation of] **1. A person commits a crime if he or she willfully violates** any of the provisions of [sections 375.010 to 375.920] **this chapter. If not otherwise specifically provided for [shall be deemed a misdemeanor, and shall subject the individual, association of individuals or corporation violating the same to a penalty of not less than fifty nor more than five hundred dollars for each offense; such penalty may be recovered and sued for against corporations or associations in the manner provided and by any of the officers designated in section 375.310, and against individuals by civil action, by information or by indictment, and an attorney's fee of twenty-five dollars shall be taxed as costs against the defendant, as in said section; all fines and penalties recovered under sections 375.010 to 375.920 shall be turned into the school fund, as provided by law for other fines and penalties] , the crime is a class B misdemeanor.**

2. The director may refer such evidence as is available concerning violations of this section to the proper prosecuting attorney, who with or without a criminal reference, or the attorney general under section 27.030, RSMo, may institute the appropriate criminal proceedings.

3. Nothing in this section shall limit the power of the state to punish any person for any conduct that constitutes a crime under any other state statute.

375.786. 1. It [shall be] is unlawful for any insurance company to transact insurance business in this state, as set forth in subsection 2, without a certificate of authority from the director; provided, however, that this section shall not apply to:

- (1) The lawful transaction of insurance as provided in chapter 384, RSMo;
- (2) The lawful transaction of reinsurance by insurance companies;
- (3) Transactions in this state involving a policy lawfully solicited, written and delivered outside of this state covering only subjects of insurance not resident, located or expressly to be performed in this state at the time of issuance, and which transactions are subsequent to the issuance of such policy;
- (4) Attorneys acting in the ordinary relation of attorney and client in the adjustment of claims or losses;
- (5) Transactions in this state involving group life and group sickness and accident or blanket sickness and accident insurance or group annuities where the master policy of such groups was lawfully issued and delivered in and pursuant to the laws of a state in which the insurance company was authorized to do an insurance business, to a group organized for purposes other than the procurement of insurance, and where the policyholder is domiciled or otherwise has a bona fide situs;
- (6) Transactions in this state involving any policy of insurance or annuity contract issued prior to August 13, 1972;
- (7) Transactions in this state relative to a policy issued or to be issued outside this state involving insurance on vessels, craft or hulls, cargoes, marine builder's risk, marine protection and indemnity or other risk, including strikes and war risks commonly insured under ocean or wet marine forms of policy;
- (8) Except as provided in chapter 384, RSMo, transactions in this state involving contracts of insurance issued to one or more industrial insureds; provided that nothing herein shall relieve an industrial insured from taxation imposed upon independently procured insurance. An "industrial insured" is hereby defined as an insured:
 - (a) Which procures the insurance of any risk or risks other than life, health and annuity contracts by use of the services of a full-time employee acting as an insurance manager or buyer or the services of [a regularly and continuously retained qualified insurance consultant] **an insurance producer whose services are wholly compensated by such insured and not by the insurer;**
 - (b) Whose aggregate annual premiums for insurance excluding workers' compensation insurance premiums total at least [twenty-five] **one hundred** thousand dollars; and
 - (c) Which has at least twenty-five full-time employees;

(9) Transactions in this state involving life insurance, health insurance or annuities provided to educational or religious or charitable institutions organized and operated without profit to any private shareholder or individual for the benefit of such institutions and individuals engaged in the service of such institutions, provided that any company issuing such contracts under this paragraph shall:

- (a) File a copy of any policy or contract issued to Missouri residents with the director;
- (b) File a copy of its annual statement prepared pursuant to the laws of its state of domicile, as well as such other financial material as may be requested, with the director; and
- (c) Provide, in such form as may be acceptable to the director, for the appointment of the director as its true and lawful attorney upon whom may be served all lawful process in any action or proceeding against such company arising out of any policy or contract it has issued to, or which is currently held by, a Missouri citizen, and process so served against such company shall have the same form and validity as if served upon the company;

(10) Transactions in this state involving accident, health, personal effects, liability or any other travel or auto-related products or coverages provided or sold by a rental company after January 1, 1994, to a renter in connection with and incidental to the rental of motor vehicles.

2. Any of the following acts in this state effected by mail or otherwise by or on behalf of an unauthorized insurance company is deemed to constitute the transaction of an insurance business in this state: (The venue of an act committed by mail is at the point where the matter transmitted by mail is delivered and takes effect. Unless otherwise indicated, the term "insurance company" as used in sections 375.786 to 375.790 includes all corporations, associations, partnerships and individuals engaged as principals in the business of insurance and also includes interinsurance exchanges and mutual benefit societies.)

- (1) The making of or proposing to make an insurance contract;
- (2) The making of or proposing to make, as guarantor or surety, any contract of guaranty or suretyship as a vocation and not merely incidental to any other legitimate business or activity of the guarantor or surety;
- (3) The taking or receiving of any application for insurance;
- (4) The receiving or collection of any premium, commission, membership fees, assessments, dues or other consideration for any insurance or any part thereof;
- (5) The issuance or delivery of contracts of insurance to residents of this state or to persons authorized to do business in this state;
- (6) Directly or indirectly acting as an agent for or otherwise representing or aiding on behalf of another any person or insurance company in the solicitation, negotiation, procurement or effectuation of insurance or renewals thereof or in the dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts, or inspection of risks, a fixing of rates or investigation or adjustment of claims or losses or in the transaction of matters subsequent to effectuation of the contract and arising out of it, or in any other manner representing or assisting a person or insurance company in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this state. The provisions of this subsection shall not operate to prohibit full-time salaried employees of a corporate insured from acting in the capacity of an insurance manager or buyer in placing insurance in behalf of such employer;
- (7) The transaction of any kind of insurance business specifically recognized as transacting an insurance business within the meaning of the statutes relating to insurance;
- (8) The transacting or proposing to transact any insurance business in substance equivalent to any of the foregoing in a manner designed to evade the provisions of the statutes.

3. (1) The failure of an insurance company transacting insurance business in this state to obtain a certificate of authority shall not impair the validity of any act or contract of such insurance company and shall not prevent such insurance company from defending any action at law or suit in equity in any court of this state, but no insurance company transacting insurance business in this state without a certificate of authority shall be permitted to maintain an action in any court of this state to enforce any right, claim or demand arising out of the transaction of such business until such insurance company shall have obtained a certificate of authority.

(2) In the event of failure of any such unauthorized insurance company to pay any claim or loss within the provisions of such insurance contract, any person who assisted or in any manner aided directly or indirectly in the procurement of such insurance contract shall be liable to the insured for the full amount of the claim or loss in the manner provided by the provisions of such insurance contract.

4. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice,

omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of this section is a level four violation under section 374.049, RSMo.

5. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of this section is a level four violation under section 374.049, RSMo.

6. Any person who transacts insurance business without a certificate of authority, as provided in this section, is guilty of a class C felony.

7. The director may refer such evidence as is available concerning violations of this chapter to the proper prosecuting attorney, who with or without a criminal reference, or the attorney general under section 27.030, RSMo, may institute the appropriate criminal proceedings.

8. Nothing in this section shall limit the power of the state to punish any person for any conduct that constitutes a crime in any other state statute.

375.881. [1.] The director may revoke or suspend the certificate of authority of a foreign insurance company [or may by order require the insurance company to pay to the people of the state of Missouri a penalty in a sum not exceeding five hundred dollars and upon failure of the insurance company to pay the penalty within twenty days after the mailing of the order, postage prepaid, certified, and addressed to the last known place of business of the insurance company, unless the order is stayed by an order of a court of competent jurisdiction, the director of insurance may revoke or suspend the license of the insurance company for any period of time] **under section 374.047, RSMo, or issue such administrative orders as appropriate under section 374.046, RSMo**, whenever he finds that the company

- (1) Is insolvent;
- (2) Fails to comply with the requirements for admission in respect to capital, the investment of its assets or the maintenance of deposits in this or other state or fails to maintain the surplus which similar domestic companies transacting the same kinds of business are required to maintain;
- (3) Is in such a financial condition that its further transaction of business in this state would be hazardous to policyholders and creditors in this state and to the public;
- (4) Has refused or neglected to pay a valid final judgment against the company within thirty days after the rendition of the judgment;
- (5) Has refused to submit to the jurisdiction of a court of this state upon the grounds of diversity of citizenship in a cause of action arising out of business transacted, acts done, or contracts made in this state by the foreign insurance company;
- (6) Has violated any law of this state or has in this state violated its charter or exceeded its corporate powers;
- (7) Has refused to submit its books, papers, accounts, records, or affairs to the reasonable inspection or examination of the director, his actuaries, deputies or examiners;
- (8) Has an officer who has refused upon reasonable demand to be examined under oath touching its affairs;
- (9) Fails to file its annual statement within thirty days after the date when it is required by law to file the statement;
- (10) Fails to file with the director a copy of an amendment to its charter or articles of association within thirty days after the effective date of the amendment;
- (11) Fails to file with the director copies of the agreement and certificate of merger and the financial statements of the merged companies, if required, within thirty days after the effective date of the merger;
- (12) Fails to pay any fees, taxes or charges prescribed by the laws of this state within thirty days after they are due and payable; provided, however, that in case of objection or legal contest the company shall not be required to pay the tax until thirty days after final disposition of the objection or legal contest;
- (13) Fails to file any report for the purpose of enabling the director to compute the taxes to be paid by the company within thirty days after the date when it is required by law to file the report;
- (14) Has had its corporate existence dissolved or its certificate of authority revoked in the state or country in which it was organized;
- (15) Has had all its risks reinsured in their entirety in another company; or
- (16) Has ceased to transact the business of insurance in this state for a period of one year.

[2. The director shall not revoke or suspend the certificate of authority of a foreign insurance company until he has given the company at least twenty days' notice of the revocation or suspension and of the grounds therefor and has afforded the company an opportunity for a hearing.]

375.940. [1.] Whenever the director shall have reason to believe that any person or insurer has been engaged or is engaging in this state in any unfair method of competition or any unfair or deceptive act or practice **in violation of sections 375.930 to 375.948**, and that a proceeding by [him] **the director** in respect thereto would be to the interest of the public, [he] **the director** shall issue and serve upon such person or insurer a statement of the charges [in that respect and a notice of hearing thereon to be held at a time and place fixed in the notice which shall not be less than twenty days after the date of service thereof.

2. At the time and place fixed for such hearing, such person or insurer shall have an opportunity to be heard to show cause why an order should not be made by the director requiring such person or insurer to cease and desist from the acts, methods or practices so complained of. Upon good cause shown, the director shall permit any person to intervene, appear and be heard at such hearing by counsel or in person. Nothing herein shall preclude the informal disposition of any case by stipulation, consent order, or default, or by agreed settlement where such settlement is in conformity with law.

3. Nothing contained in sections 375.930 to 375.948 shall require the observance at any such hearing of formal rules of pleading or evidence.

4. Upon such hearing, the director shall have power to examine and cross-examine witnesses, receive oral and documentary evidence, administer oaths, subpoena witnesses and compel their attendance, and require the production of books, papers, records, correspondence and all other written instruments or documents which he deems relevant to the inquiry. The director, upon any such hearing, shall cause to be made a record of all the evidence and all the proceedings had at such hearing. In case of a refusal of any person to comply with any subpoena issued hereunder or to testify with respect to any matter concerning which he may be lawfully interrogated, the circuit court of Cole County or the county where such party resides, or may be found, on application of the director, may issue an order requiring such person to comply with such subpoena and to testify; and any failure to obey any such order of the court may be punished by the court as a contempt thereof.

5. Statements of charges, notices, orders, and other processes of the director under sections 375.930 to 375.948 may be served by anyone duly authorized by the director either in the manner provided by law for service of process in civil actions, or by registering or certifying and mailing a copy thereof to the person affected by such statement, notice, order, or other process at his or its residence or principal office or place of business. The verified return by the person so serving such statement, notice, order or other process, setting forth the manner of such service, shall be proof of the same, and the return postcard receipt for such statement, notice, order or other process, registered and mailed as aforesaid, shall be proof of the service of the same] **under the procedures set forth in section 374.046, RSMo.**

375.942. 1. [If, after such hearing, the director determines that the person charged has engaged in an unfair method of competition or in an unfair or deceptive act or practice prohibited by section 375.934 or 375.937, he shall reduce his findings to writing and shall issue and cause to be served upon the person charged with the violation a copy of such findings and an order requiring such person to cease and desist from engaging in such method of competition, act or practice, and thereafter the director may, at his discretion, order one or more of the following:

(1) Payment of a monetary penalty of not more than one thousand dollars for each violation but not to exceed an aggregate penalty of one hundred thousand dollars in any twelve-month period unless the violation was committed flagrantly and in conscious disregard of section 375.934 or 375.937, in which case the penalty shall be not more than twenty-five thousand dollars for each violation but not to exceed an aggregate penalty of two hundred fifty thousand dollars in any twelve-month period;

(2) Suspension or revocation of the insurer's license if such insurer knew or reasonably should have known it was in violation of section 375.934 or 375.937.

2. Until the expiration of the time allowed under section 375.944 for filing a petition for judicial review, if no such petition has been duly filed within such time or, if a petition for review has been filed within such time, then until the transcript of the record in the proceeding has been filed in the circuit court of Cole County, the director may at any time, upon such notice and in such manner as he shall deem proper, modify or set aside in whole or in part any order issued by him under this section.

3. After the expiration of the time allowed for filing such a petition for review, if no such petition has been duly filed within such time, the director may at any time, after notice and opportunity for hearing, reopen and alter, modify

or set aside, in whole or in part, any order issued by him under this section, whenever in his opinion conditions of fact or of law have so changed as to require such action or if the public interest shall so require.

4. Nothing contained in sections 375.930 to 375.948 shall be construed to prohibit the director and the person from agreeing to a voluntary forfeiture with or without proceedings being instituted. Any sum so agreed upon shall be paid into the school fund as provided by law for other fines and penalties] **If the director determines that an insurer has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, or course of business constituting a violation of sections 375.930 to 375.948 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding a practice constituting a violation of sections 375.930 to 375.948 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. Each practice in violation of section 375.934 is a level two violation under section 374.049, RSMo. Each act as part of a trade practice does not constitute a separate violation under section 374.049, RSMo. The director may also suspend or revoke the license or certificate of authority of an insurer for any willful violation.**

2. **If the director believes that an insurer has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.930 to 375.948 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business conduct constituting a violation of sections 375.930 to 375.948 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. Each practice in violation of section 375.934 is a level two violation under section 374.049, RSMo. Each act as part of a trade practice does not constitute a separate violation under section 374.049, RSMo.**

375.946. [Any person who violates] **It is unlawful for any person to violate any provision of a cease and desist order of the director under section 375.942[, while such order is in effect, may, after notice and hearing, and upon order of the director, be subject to either or both of the following:**

(1) A monetary penalty of not more than twenty-five thousand dollars for each and every act or violation not to exceed an aggregate amount of two hundred fifty thousand dollars pursuant to any such hearing; or

(2) Suspension or revocation of such person's license or certificate of authority]. **The director may institute an action under sections 374.046 and 374.047, RSMo, as necessary to enforce any such order.**

375.994. 1. Department investigators shall have the power to serve subpoenas issued for the examination, investigation, and trial of all offenses determined by their investigations.

2. It is unlawful for any person to interfere, either by abetting or assisting such resistance or otherwise interfering, with department investigators in the duties imposed upon them by law or department rule.

3. Any moneys, or other property which is awarded to the department as costs of investigation, or as a fine, shall be credited to the [department of] insurance dedicated fund created by section 374.150, RSMo.

4. **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of section 375.991 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of section 375.991 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo. The director may also suspend or revoke the license or certificate of authority of such person for any willful violation.**

5. **If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of section 375.991 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of section 375.991 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.**

6. Nothing in this section shall be construed as prohibiting the department of insurance from regulating unfair or fraudulent trade practices as provided for in sections 375.930 to 375.948.

[5. In the event] 7. **If the director determines that a person regulated under this chapter has conducted its business fraudulently with respect to sections 375.991 to 375.994, or has as a matter of business practice abused its rights under said sections, such conduct shall [be considered] constitute either an unfair trade practice under the provisions**

of sections 375.930 to 375.948 or an unfair claims settlement practice under the provisions of sections 375.1000 to 375.1018. [The director shall have the power and authority, pursuant to the unfair trade practices act and the unfair claims settlement practices act to subject such persons to the monetary penalty or suspend or revoke such person's license or certificate of authority, under such acts.]

375.1010. 1. [Whenever the director shall have reason to believe that any insurer has been engaged or is engaging in this state in any improper claims practice, and that a proceeding by him in respect thereto would be to the interest of the public, he shall issue and serve upon such person or insurer a statement of the charges in that respect and a notice of hearing thereon to be held at a time and place fixed in the notice which shall not be less than twenty days after the date of service thereof.

2. At the time and place fixed for such hearing, such insurer shall have an opportunity to be heard to show cause why an order should not be made by the director requiring such insurer to cease and desist from the acts, methods or practices so complained of. Upon good cause shown, the director shall permit any person to intervene, appear and be heard at such hearing by counsel or in person. Nothing in sections 375.1000 to 375.1018 shall preclude the informal disposition of any case by stipulation, consent order, or default, or by agreed settlement where such settlement is in conformity with law.

3. Nothing contained in sections 375.1000 to 375.1018 shall require the observance at any such hearing of formal rules of pleading or evidence.

4. Upon such hearing, the director may examine and cross-examine witnesses, receive oral and documentary evidence, administer oaths, subpoena witnesses and compel their attendance, and require the production of books, papers, records, correspondence and all other written instruments or documents which he deems relevant to the inquiry. The director, upon any such hearing, shall cause to be made a record of all the evidence and all the proceedings had at such hearing. In case of a refusal of any person to comply with any subpoena issued hereunder or to testify with respect to any matter concerning which he may be lawfully interrogated, the circuit court of Cole County or the county where such party resides, or may be found, on application of the director, may issue an order requiring such person to comply with such subpoena and to testify; and any failure to obey any such order of the court may be punished by the court as a contempt thereof.

5. Statements of charges, notices, orders, and other processes of the director under sections 375.1000 to 375.1018 may be served by anyone duly authorized by the director either in the manner provided by law for service of process in civil actions, or by registering or certifying and mailing a copy thereof to the person affected by such statement, notice, order, or other process at his or its residence or principal office or place of business. The verified return by the person so serving such statement, notice, order or other process, setting forth the manner of such service, shall be proof of the same, and the return postcard receipt for such statement, notice, order or other process, registered and mailed as aforesaid, shall be proof of the service of the same] **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.1000 to 375.1018 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.1000 to 375.1018 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. Each practice in violation of section 375.1005 is a level two violation under section 374.049, RSMo. Each act as part of a claims settlement practice does not constitute a separate violation under section 374.049, RSMo. The director may also suspend or revoke the license or certificate of authority of an insurer for any willful violation.**

2. **If the director believes that an insurer has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.1000 to 375.1018 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.1000 to 375.1018 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. Each practice in violation of section 375.1005 is a level two violation under section 374.049, RSMo. Each act as part of a claims settlement practice does not constitute a separate violation under section 374.049, RSMo.**

375.1014. 1. [Any person, including any person who has been permitted to intervene, who is aggrieved by a final order or decision of the director shall be entitled to judicial review thereof.

2. The court shall make and enter upon the pleadings evidence and proceedings set forth in the transcript a degree modifying, affirming or reversing the order of the director, in whole or in part. To the extent that the order of the director is affirmed, the court shall thereupon issue its own order commanding obedience to the terms of such order of the director. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the director, the court may order such additional evidence to be taken before the director and to be adduced upon the hearing in such manner and upon such terms and conditions as the court may deem proper. The director may modify his findings of fact, or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings which are supported by evidence on the record and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

3. An order issued by the director under section 375.1012 shall become final:

(1) Upon the expiration of the time allowed for filing a petition for review if no such petition has been duly filed within such time; except that the director may thereafter modify or set aside his order to the extent provided in subsection 2 of section 375.1012; or

(2) Upon the final decision of the court if the court directs that the order of the director be affirmed or the petition for review dismissed.

4.] A final order issued by the director under sections 375.1000 to 375.1018 is subject to judicial review in accordance with the provisions of chapter 536, RSMo, in the circuit court of Cole County.

2. No order of the director under section 375.942 or order of a court to enforce the same shall in any way relieve or absolve any person affected by such order from any liability under any other laws of this state.

375.1016. [Any person who violates] **It is unlawful for any person to violate any provision of** a cease and desist order of the director under section 375.1012, [while such order is in effect, may, after notice and hearing, and upon order of the director, be subject to either or both of the following:

(1) A monetary penalty of not more than twenty-five thousand dollars for each and every act or violation not to exceed an aggregate amount of two hundred fifty thousand dollars pursuant to any such hearing; or

(2) Suspension or revocation of such person's license or certificate of authority] **and the director may institute an action under sections 374.046 and 374.047, RSMo, as necessary to enforce any such order."**; and

Further amend said bill, Section 375.1075, Pages 11 and 12, by inserting after all of said section the following:

"375.1135. 1. [A reinsurance intermediary, insurer or reinsurer found by the director, after a hearing conducted in accordance with chapter 536, RSMo, to be in violation of any provisions of sections 375.1110 to 375.1140, shall:

(1) For each separate violation, pay a penalty in an amount not exceeding five thousand dollars;

(2) Be subject to revocation or suspension of its license; and

(3)] **If the director determines that a reinsurance intermediary, insurer, or reinsurer has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.1110 to 375.1140 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.1110 to 375.1140 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo. The director may also suspend or revoke the license or certificate of authority of a reinsurance intermediary, insurer, or reinsurer for any willful violation.**

2. If the director believes that a reinsurance intermediary, insurer, or reinsurer has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.1110 to 375.1140 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.1110 to 375.1140 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.

3. In addition to any other relief authorized by sections 374.046 and 374.047, RSMo, if a violation was committed by the reinsurance intermediary, such reinsurance intermediary shall make restitution to the insurer, reinsurer,

rehabilitator or liquidator of the insurer or reinsurer for the net losses incurred by the insurer or reinsurer attributable to such violation.

[2. The decision, determination or order of the director pursuant to subsection 1 of this section shall be subject to judicial review pursuant to sections 536.100 to 536.140, RSMo.

3. Nothing contained in this section shall affect the right of the director to impose any other penalties provided by law.]

4. Nothing contained in sections 375.1110 to 375.1140 is intended to or shall in any manner limit or restrict the rights of policyholders, claimants, creditors or other third parties or confer any rights to such persons.

375.1156. 1. Any officer, manager, director, trustee, owner, employee or agent of any insurer, or any other persons with authority over or in charge of any segment of the insurer's affairs, shall cooperate with the director or any receiver in any proceeding under sections 375.1150 to 375.1246 or any investigation preliminary to the proceeding. The term "person" as used in this section, shall include any person who exercises control directly or indirectly over activities of the insurer through any holding company or other affiliate of the insurer. "To cooperate" shall include, but shall not be limited to, the following:

- (a) To reply promptly in writing to any inquiry from the director requesting such a reply; and
- (b) To make available to the director any books, accounts, documents, or other records or information or property of or pertaining to the insurer and in its possession, custody or control.

2. [No person shall] **It is unlawful for any person included in subsection 1 of this section to obstruct or interfere with the director in the conduct of any delinquency proceeding or any investigation preliminary or incidental thereto.**

3. This section shall not be construed to abridge otherwise existing legal rights, including the right to resist a petition for liquidation or other delinquency proceedings, or other orders.

4. [Any person included within subsection 1 of this section who fails to cooperate with the director, or any person who knowingly obstructs or interferes with the director in the conduct of any delinquency proceeding or any investigation preliminary or incidental thereto, or who knowingly violates any order the director issued validly under sections 375.1150 to 375.1246 shall be guilty of a class A misdemeanor, and, in addition thereto, after a hearing, shall be subject to the imposition by the director of an administrative penalty not to exceed ten thousand dollars for each occurrence or violation and shall be subject further to the revocation or suspension of any insurance licenses issued by the director. Moneys collected pursuant to the imposition of such administrative penalties shall be transferred to the state treasurer and deposited to the general revenue fund.

5.] In any proceeding under sections 375.1150 to 375.1246, the director and his deputies shall be responsible on their official bonds for the faithful performance of their duties. If the court deems it desirable for the protection of the assets, it may at any time require an additional bond from the director or his deputies, and such bonds shall be paid for out of the assets of the insurer as a cost of administration.

375.1160. 1. As used in this section:

- (1) "Exceeded its powers" means one or more of the following conditions:
 - (a) The insurer has refused to permit examination of its books, papers, accounts, records or affairs by the director, his deputy, employees or duly commissioned examiners;
 - (b) A domestic insurer has unlawfully removed from this state or is unable to produce books, papers, accounts or records necessary for an examination of the insurer;
 - (c) The insurer has failed to promptly comply with the applicable financial reporting statutes or rules and requests relating thereto;
 - (d) The insurer has neglected or refused to observe an order of the director to make good, within the time prescribed by law, any prohibited deficiency in its capital, capital stock or surplus;
 - (e) The insurer is continuing to transact insurance or write business after its license has been revoked or suspended by the director;
 - (f) The insurer, by contract or otherwise, has unlawfully or has in violation of an order of the director or has without first having obtained written approval of the director if approval is required by law:
 - a. Totally reinsured its entire outstanding business, or
 - b. Merged or consolidated substantially its entire property or business with another insurer;
 - (g) The insurer engaged in any transaction in which it is not authorized to engage under the laws of this state;

(h) A domestic insurer has committed or engaged in, or is about to commit or engage in, any act, practice or transaction that would subject it to delinquency proceedings under sections 375.1150 to 375.1246; or

(i) The insurer refused to comply with a lawful order of the director;

(2) "Consent" means agreement to administrative supervision by the insurer.

2. (1) An insurer may be subject to administrative supervision by the director if upon examination or at any other time it appears in the director's discretion that:

(a) The insurer's condition renders the continuance of its business hazardous to the public or to its insureds;

(b) The insurer exceeded its powers granted under its certificate of authority and applicable law;

(c) The insurer has failed to comply with the laws of this state relating to insurance;

(d) The business of the insurer is being conducted fraudulently; or

(e) The insurer gives its consent.

(2) If the director determines that the conditions set forth in subdivision (1) of this subsection exist, the director shall:

(a) Notify in writing the insurer of his determination;

(b) Furnish to the insurer a written list of his requirements to rescind his determination; and

(c) Notify the insurer that it is under the supervision of the director and that the director is applying and effectuating the provisions of this section.

(3) The notice of supervision under this subsection and any order issued pursuant to this section shall be served upon the insurer in writing by registered mail. The notice of supervision shall state the conduct, condition or ground upon which the director bases his order.

(4) If placed under administrative supervision, the insurer shall have sixty days, or another period of time as designated by the director, to comply with the requirements of the director subject to the provisions of this section. In the event of such insurer's failure to comply with such time periods, the director may institute proceedings under section 375.1165 or 375.1175 to have a rehabilitator or liquidator appointed, or to extend the period of supervision.

(5) If it is determined that none of the conditions giving rise to the supervision exist, the director shall release the insurer from supervision.

3. (1) Except as set forth in this subsection, all proceedings, hearings, notices, orders, correspondence, reports, records and other information in the possession of the director or the department [of insurance] relating to the supervision of any insurer are confidential except as provided by this section.

(2) Personnel of the department [of insurance] shall have access to these proceedings, hearings, notices, orders, correspondence, reports, records or information as permitted by the director.

(3) The director may open the proceedings or hearings or disclose the notices, orders, correspondence, reports, records or information to a department, agency or instrumentality of this or another state or the United States if the director determines that the disclosure is necessary or proper for the enforcement of the laws of this or another state of the United States.

(4) The director may open the proceedings or hearings or make public the notices, orders, correspondence, reports, records or other information if the director deems that it is in the best interest of the public or in the best interest of the insurer, its insureds, creditors or the general public.

(5) This subsection does not apply to hearings, notices, correspondence, reports, records or other information obtained upon the appointment of a receiver for the insurer by a court of competent jurisdiction.

4. During the period of supervision, the director or his designated appointee shall serve as the administrative supervisor. The director may provide that the insurer shall not do any of the following things during the period of supervision, without the prior approval of the director or the appointed supervisor:

(1) Dispose of, convey or encumber any of its assets or its business in force;

(2) Withdraw any of its bank accounts;

(3) Lend any of its funds;

(4) Invest any of its funds;

(5) Transfer any of its property;

(6) Incur any debt, obligation or liability;

(7) Merge or consolidate with another company;

(8) Approve new premiums or renew any policies;

(9) Enter into any new reinsurance contract or treaty;

(10) Terminate, surrender, forfeit, convert or lapse any insurance policy, certificate or contract, except for nonpayment of premiums due;

- (11) Write any new or renewal business;
- (12) Release, pay or refund premium deposits, accrued cash or loan values, unearned premiums, or other reserves on any insurance policy, certificate or contract;
- (13) Make any material change in management; or
- (14) Increase salaries and benefits of officers or directors or the preferential payment of bonuses, dividends or other payments deemed preferential.

5. Any insurer subject to a supervision order under this section may seek review pursuant to section 536.150, RSMo, of that order within thirty days of the entry of the order of supervision. Such a request for a hearing shall not stay the effect of the order.

6. During the period of supervision the insurer may contest an action taken or proposed to be taken by the administrative supervisor specifying the manner in which the action being complained of would not result in improving the condition of the insurer. An insurer may request review pursuant to section 536.150, RSMo, of written denial of the insurer's request to reconsider pursuant to this subsection.

7. If any person has violated any supervision order issued under this section which as to him was still in effect, the director may [impose an administrative penalty in an amount not to exceed ten thousand dollars for each violation. Moneys collected pursuant to the imposition of such penalties shall be transferred to the state treasurer and deposited to the general revenue fund.

8. The director or administrative supervisor may apply for, and any court of general jurisdiction may grant, such restraining orders, preliminary and permanent injunctions, and other orders as may be deemed necessary and proper to enforce a supervision order.

9.] initiate an action under section 375.1161.

8. In the event that any person, subject to the provisions of sections 375.1150 to 375.1246, including those persons described in subsection 1 of section 375.1156, shall knowingly violate any valid order of the director issued under the provisions of this section and, as a result of such violation, the net worth of the insurer shall be reduced or the insurer shall suffer loss it would not otherwise have suffered, said person shall become personally liable to the insurer for the amount of any such reduction or loss. The director or administrative supervisor is authorized **under subsection 1 of section 375.1161** to bring an action on behalf of the insurer in any court of competent jurisdiction to recover the amount of reduction or loss together with any costs.

[10.] 9. Nothing contained in sections 375.1150 to 375.1246 shall preclude the director from initiating judicial proceedings to place an insurer in conservation, rehabilitation or liquidation proceedings or other delinquency proceedings, however designated under the laws of this state, regardless of whether the director has previously initiated administrative supervision proceedings under this section against the insurer.

[11.] 10. The director may adopt reasonable rules necessary for the implementation of this section.

[12.] 11. Notwithstanding any other provision of law, the director may meet with an administrative supervisor appointed under this section and with the attorney or other representative of the administrative supervisor, without the presence of any other person, at the time of any proceeding or during the pendency of any proceeding held under authority of this section to carry out his duties under this section or for the administrative supervisor to carry out his duties under this section.

[13.] 12. There shall be no liability on the part of, and no cause of action of any nature shall arise against, the director or the department of insurance or its employees or agents for any action taken by them in the performance of their powers and duties under this section.

375.1161. 1. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.1150 to 375.1246 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.1150 to 375.1246 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level four violation under section 374.049, RSMo. The director may also suspend or revoke the license or certificate of authority of such person for any willful violation.

2. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 375.1150 to 375.1246 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 375.1150 to 375.1246 or a rule

adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level four violation under section 374.049, RSMo.

375.1204. 1. [An agent, broker,] **A producer**, premium finance company, or any other person, other than the insured, responsible for the payment of a premium, shall be obligated to pay any unpaid earned premium due the insurer at the time of the declaration of insolvency as shown on the records of the insurer. The liquidator shall also have the right to recover from such person any part of an unearned premium that represents commission of such person. Credits or setoffs or both shall not be allowed to [an agent, broker,] **a producer** or premium finance company for any amounts advanced to the insurer by the [agent, broker,] **producer** or premium finance company on behalf of, but in the absence of a payment by the insured. An insured shall be obligated to pay any unpaid earned premium due the insurer at the time of the declaration of insolvency, as shown on the records of the insurer.

2. [Upon satisfactory evidence of a violation of this section, the director may pursue either one or both of the following courses of action:

(1) Suspend or revoke or refuse to renew any licenses issued by the department of insurance to such offending party or parties;

(2) Impose an administrative penalty of not more than one thousand dollars for each and every act in violation of this section by said party or parties. All amounts collected as a result of imposition of such administrative penalties shall be paid to the state treasurer for deposit to the general revenue fund.

3. Before the director shall take any action as set forth in subsection 2 of this section, he shall give written notice to the person, company, association or exchange accused of violating the law, stating specifically the nature of the alleged violation and fixing a time and place, at least ten days thereafter, when a hearing on the matter shall be held. After such hearing, or upon failure of the accused to appear at such hearing, the director, if he shall find such violation, shall impose such of the penalties under subsection 2 of this section as he deems advisable.

4. When the director shall take any action provided by subsection 2 of this section, the party aggrieved may appeal said action to the court within thirty days of the director's decision] **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of this section is a level one violation under section 374.049, RSMo. The director may also suspend, revoke, or refuse to renew any license issued by the director to any offending person for any willful violation.**

3. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of this section is a level one violation under section 374.049, RSMo.

375.1306. 1. An employer shall not use any genetic information or genetic test results, as those terms are defined in subdivisions (3) and (4) of section 375.1300, of an employee or prospective employee to distinguish between, discriminate against, or restrict any right or benefit otherwise due or available to such employee or prospective employee. The requirements of this section shall not prohibit:

(1) Underwriting in connection with individual or group life, disability income or long-term care insurance;

(2) Any action required or permissible by law or regulation;

(3) Action taken with the written permission of an employee or prospective employee or such person's authorized representative; or

(4) The use of genetic information when such information is directly related to a person's ability to perform assigned job responsibilities.

2. [Any person who violates the provisions of this section shall be fined not more than five hundred dollars for each violation of this section] **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order**

issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.

3. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.

375.1309. 1. Any person who, in the ordinary course of business, practice of a profession or rendering of a service, creates, stores, receives or furnishes genetic information, as such term is defined in subdivision (3) of section 375.1300, shall hold such information as confidential medical records and shall not disclose such genetic information except pursuant to written authorization of the person to whom such information pertains or to that person's authorized representative. The requirements of this section shall not apply to:

- (1) Statistical data compiled without reference to the identity of an individual;
- (2) Health research conducted in accordance with the provisions of the federal common rule protecting the rights and welfare of research participants (45 CFR 46 and 21 CFR 50 and 56), or to health research using medical archives or databases in which the identity of individuals is protected from disclosure by coding or encryption, or by removing all identities;
- (3) The release of such information pursuant to legal or regulatory process; or
- (4) The release of such information for body identification.

2. [Any person who violates the provisions of this section shall be fined not more than five hundred dollars]
If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.

3. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo."; and

Further amend said bill, Section 376.307, Pages 54 through 56, by inserting after all of said section the following:

"376.309. 1. As used in this section, "separate account" means an account established by an insurance company, into which any amounts paid to or held by such company under applicable contracts are credited and the assets of which, subject to the provisions of this section, may be invested in such investments as shall be authorized by a resolution adopted by such company's board of directors. The income, if any, and gains and losses, realized or unrealized, on such account shall be credited to or charged against the amounts allocated to such account without regard to other income, gains or losses of the company. If and to the extent so provided under the applicable contracts, that portion of the assets of any such separate account equal to the reserves and other contract liabilities with respect to such account shall not be chargeable with liabilities arising out of any other business the company may conduct.

2. Any domestic life insurance company may, after adoption of a resolution by its board of directors, establish one or more separate accounts, and may allocate to such account or accounts any amounts paid to or held by it which are to be applied under the terms of an individual or group contract to provide benefits payable in fixed or in variable dollar amounts or in both.

3. To the extent it deems necessary to comply with any applicable federal or state act, the company may, with respect to any separate account or any portion thereof, provide for the benefit of persons having beneficial interests therein special voting and other rights and special procedures for the conduct of the business and affairs of such separate account or portion thereof, including, without limitation, special rights and procedures relating to investment policy,

investment advisory services, selection of public accountants, and selection of a committee, the members of which need not be otherwise affiliated with the company, to manage the business and affairs of such separate account or portion thereof; and the corporate charter of such company shall be deemed amended to authorize the company to do so. The provisions of this section shall not affect existing laws pertaining to the voting rights of such company's policyholders.

4. The amounts allocated to any separate account and the accumulations thereon may be invested and reinvested without regard to any requirements or limitations prescribed by the laws of this state governing the investments of life insurance companies, and the investments in such separate account or accounts shall not be taken into account in applying the investment limitations, including but not limited to quantitative restrictions, otherwise applicable to the investments of the company, except that to the extent that the company's reserve liability with regard to benefits guaranteed as to principal amount and duration, and funds guaranteed as to principal amount or stated rate of interest, is maintained in any separate account, a portion of the assets of such separate account at least equal to such reserve liability shall be, except as the director [of insurance] might otherwise approve, invested in accordance with the laws of this state governing the general investment account of any company. As used herein, the expression "general investment account" shall mean all of the funds, assets and investments of the company which are not allocated in a separate account. The provisions of section 376.170 relating to deposits for registered policies shall not be applicable to funds and investments allocated to separate accounts. No investment in the separate account or in the general investment account of a life insurance company shall be transferred by sale, exchange, substitution or otherwise from one account to another unless, in case of a transfer into a separate account, the transfer is made solely to establish the account or to support the operation of the contracts with respect to the separate account to which the transfer is made or unless the transfer, whether into or from a separate account, is made by a transfer of cash, or by a transfer of other assets having a readily determinable market value, provided that such transfer of other assets is approved by the director [of insurance] and is for assets of equivalent value. Such transfer shall be deemed approved to the extent the assets of a separate account so transferred have been paid to or are being held by the company in connection with a pension, retirement or profit-sharing plan subject to the provisions of the Internal Revenue Code, as amended, and the Employee Retirement Income Security Act of 1974, as amended. The director [of insurance] may withdraw such deemed approval by providing written notice to the company that its financial condition or past practices require such withdrawal. The director [of insurance] may approve other transfers among such accounts if the director concludes that such transfers would be equitable.

5. Unless otherwise approved by the director [of insurance], assets allocated to a separate account shall be valued at their market value on the date of valuation, or if there is no readily available market, then as provided under the terms of the contract or the rules or other written agreement applicable to such separate account; provided, that the portion of the assets of such separate account at least equal to the company's reserve liability with regard to the guaranteed benefits and funds referred to in subsection 4 of this section, if any, shall be valued in accordance with the rules otherwise applicable to the company's assets.

6. The director [of insurance] shall have the sole and exclusive authority to regulate the issuance and **authority to regulate the** sale of contracts under which amounts are to be allocated to one or more separate accounts as provided herein, and to issue such reasonable rules, regulations and licensing requirements as [he] **the director** shall deem necessary to carry out the purposes and provisions of this section; and [such contracts,] the companies [which] **that** issue [them and the agents or other persons who sell them] **such contracts** shall not be subject to [sections 409.101 to 409.419, RSMo, or amendments thereto, nor to the jurisdiction of the] **registration with the** commissioner of securities. **The director may, subject to the provisions of section 374.185, RSMo, consult and cooperate with the commissioner of securities in investigations arising from the offer and sale of contracts regulated under this section and may request assistance from the commissioner of securities in any proceeding arising from the offer and sale of any such contracts.**

7. No domestic life insurance company, and no other life insurance company admitted to transact business in this state, shall be authorized to deliver within this state any contract under which amounts are to be allocated to one or more separate accounts as provided herein until said company has satisfied the director [of insurance] that its condition or methods of operation in connection with the issuance of such contracts will not render its operation hazardous to the public or its policyholders in this state. In determining the qualifications of a company requesting authority to deliver such contracts within this state, the director [of insurance] shall consider, among other things:

- (1) The history and financial condition of the company;
- (2) The character, responsibility and general fitness of the officers and directors of the company; and

(3) In the case of a company other than a domestic company, whether the statutes and regulations of the jurisdiction of its incorporation provide a degree of protection to policyholders and the public which is substantially equal to that provided by this section and the rules and regulations issued thereunder.

8. An authorized life insurance company, whether domestic, foreign or alien, which issues contracts under which amounts are to be allocated to one or more separate accounts as provided herein, and which is a subsidiary of or affiliated through common management or ownership with another life insurance company authorized to do business in this state, may be deemed to have met the provisions of subsection 7 of this section if either it or the parent or affiliated company meets the requirements thereof.

9. If the contract provides for payment of benefits in variable amounts, it shall contain a statement of the essential features of the procedure to be followed by the company in determining the dollar amount of such variable benefits. Any such contract, including a group contract, and any certificate issued thereunder, shall state that such dollar amount may decrease or increase and shall contain on its first page a statement that the benefits thereunder are on a variable basis.

10. Except as otherwise provided in this section, all pertinent provisions of the insurance laws of this state shall apply to separate accounts and contracts relating thereto.

376.620. [In all suits upon policies of insurance on life hereafter issued by any company doing business in this state, to a citizen of this state, it shall be no defense that the insured committed suicide, unless it shall be shown to the satisfaction of the court or jury trying the cause, that the insured contemplated suicide at the time he made his application for the policy, and any stipulation in the policy to the contrary shall be void.] **1. Any life insurance or certificate issued or delivered in this state, may exclude or restrict liability of death as the result of suicide in the event the insured, while sane or insane, dies as a result of suicide within one year from the date of the issue of the policy or certificate. Any such exclusion or restriction shall be clearly stated in the policy or certificate.**

2. Any life insurance policy or certificate which contains any exclusion or restriction under subsection 1 of this section shall also provide that in the event the insured dies as a result of suicide within one year from the date of issue of the policy that the insurer shall promptly refund all premiums paid for coverage on such insured.

376.889. [In addition to any other applicable penalties, the director may require issuers violating any provision of sections 376.850 to 376.890 or regulations promulgated pursuant to sections 376.850 to 376.890 to cease marketing any Medicare supplement policy or certificate in this state which is related directly or indirectly to a violation, or may require such issuer to take such actions as are necessary to comply with the provisions of sections 376.850 to 376.890, or both] **1. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 376.850 to 376.890 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 376.850 to 376.890 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.**

2. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 376.850 to 376.890 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 376.850 to 376.890 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo."; and

Further amend said bill, Section 376.1012, Pages 56 and 57, by inserting after all of said section the following:

"376.1094. 1. The **director shall suspend or revoke the** certificate of authority of an administrator [shall be suspended or revoked] if the director finds that the administrator:

- (1) Is in an unsound financial condition;
- (2) Is using such methods or practices in the conduct of its business so as to render its further transaction of business in this state hazardous or injurious to insured persons or the public; or
- (3) Has failed to satisfy any judgment rendered against it in this state within sixty days after the judgment has become final.

2. The director may, in his discretion, suspend or revoke the certificate of authority of an administrator if the director finds that the administrator or any of its officers, directors or any individual responsible for the conduct of its affairs as described in subdivision (3) of subsection 2 of section 376.1092:

- (1) Has violated any lawful rule or order of the director or any provision of the insurance laws of this state;
- (2) Has refused to be examined or to produce its accounts, records and files for examination, or if any of its officers has refused to give information with respect to its affairs or has refused to perform any other legal obligation as to such examination, when required by the director;
- (3) Has, without just cause, refused to pay proper claims or perform services arising under its contracts or has, without just cause, caused covered individuals to accept less than the amount due them or caused covered individuals to employ attorneys or bring suit against the administrator to secure full payment or settlement of such claims;
- (4) Is affiliated with or under the same general management or interlocking directorate or ownership as another administrator or insurer which unlawfully transacts business in this state without having a certificate of authority;
- (5) At any time fails to meet any qualification for which issuance of the certificate could have been refused had such failure then existed and been known to the department;
- (6) Has been convicted of, or has entered a plea of guilty or nolo contendere to, a felony without regard to whether adjudication was withheld;
- (7) Is not competent, trustworthy, financially responsible or of good personal and business reputation, has had an insurance or administrator license denied for cause by any state or been subject to any form of administrative, civil or criminal action by any federal or state agency or court resulting in some form of discipline or sanction; or
- (8) Is under suspension or revocation in another state.

3. The director may, in his discretion and without advance notice or hearing thereon, immediately suspend the certificate of any administrator if the director finds that one or more of the following circumstances exist:

- (1) The administrator is insolvent or impaired;
- (2) A proceeding for receivership, conservatorship, rehabilitation, or other delinquency proceeding regarding the administrator has been commenced in any state;
- (3) The financial condition or business practices of the administrator otherwise poses an imminent threat to the public health, safety or welfare of the residents of this state.

4. [If the director finds that one or more grounds exist for the suspension or revocation of a certificate of authority issued under sections 376.1075 to 376.1095, the director may, in lieu of such suspension or revocation, bring a civil action against the administrator in a court of competent jurisdiction. The court may impose a fine upon the administrator of not more than fifty thousand dollars, such fine to be payable to the Missouri state school fund] **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 376.1075 to 376.1095 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 376.1075 to 376.1095 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level three violation under section 374.049, RSMo.**

5. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 376.1075 to 376.1095 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 376.1075 to 376.1095 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level three violation under section 374.049, RSMo.

376.1500. As used IN sections 376.1500 to 376.1532, the following words or phrases mean:

- (1) "Director", the director of the department of insurance, financial institutions and professional registration;
- (2) "Discount card", a card or any other purchasing mechanism or device, which is not insurance, that purports to offer discounts or access to discounts in health-related purchases from health care providers;
- (3) "Discount medical plan", a business arrangement or contract in which a person, in exchange for fees, dues, charges, or other consideration, provides access for plan members to providers of medical services and the right to receive medical services from those providers at a discount. The term does not include any product regulated as an insurance product, group health service product or membership in a health maintenance organization in this state or discounts provided by an insurer, group health service, or health maintenance

organizations where those discounts are provided at no cost to the insured or member and are offered due to coverage with a licensed insurer, group health service, or health maintenance organization. The term does not include an arrangement where the discounts or prices are sold, rented or otherwise provided to another licensed carrier or to a self-insured or self-funded employer sponsored plan or Taft-Hartley trust;

(4) "Discount medical plan organization", means a person or an entity that, in exchange for fees, dues, charges or other consideration, provides access for plan members to providers of medical services and the right to receive medical services from those providers at a discount. It is the person or organization that contracts with providers, provider networks or other discount medical plan organizations to offer access to medical services at a discount and determines the charge to plan members;

(5) "Health care provider", any person or entity licensed by this state to provide health care services including, but not limited to physicians, hospitals, home health agencies, pharmacies, and dentists;

(6) "Health care provider network", an entity which directly contracts with physicians and hospitals and has contractual rights to negotiate on behalf of those health care providers with a discount medical plan organization to provide medical services to members of the discount medical plan organization;

(7) "Marketer", a person or entity who markets, promotes, sells or distributes a discount medical plan, including a private label entity that places its name on and markets or distributes a discount medical plan but does not operate a discount medical plan;

(8) "Medical services", any care, service or treatment of illness or dysfunction of, or injury to, the human body including, but not limited to, physician care, inpatient care, hospital surgical services, emergency services, ambulance services, dental care services, vision care services, mental health services, substance abuse services, chiropractic services, podiatric care services, laboratory services, and medical equipment and supplies. The term does not include pharmaceutical supplies or prescriptions;

(9) "Member", any person who pays fees, dues, charges, or other consideration for the right to receive the purported benefits of a discount medical plan; and

(10) "Person", an individual, corporation, business trust, estate, trust, partnership, association, joint venture, limited liability company, or any other government or commercial entity.

376.1502. 1. It is unlawful to transact business in this state as a discount medical plan organization, unless the organization is a corporation, limited liability corporation, partnership, limited liability partnership or other legal entity organized under the laws of this state or, if a foreign entity, authorized to transact business in this state, and is registered as a discount medical plan organization with the director or duly authorized by the director as an insurance company, licensed health maintenance organization, licensed group health service organization, or licensed third party administrator.

2. An individual person, employee, or agent of a registered entity described in subsection 1 of this section may also transact business in this state on behalf of such entity.

376.1504. 1. To register as a discount medical plan organization, an applicant shall:

(1) File with the director an application on a form approved and adopted by the director; and

(2) Pay to the director an application fee of two hundred fifty dollars.

2. A registration is valid for a one-year term and expires one year following the registration date unless it is renewed as provided in this section.

3. Before it expires, a registrant may renew the registration for an additional one-year term if the registrant:

(1) Otherwise is qualified to receive a registration;

(2) Files with the director a renewal application on a form approved and adopted by the director; and

(3) Pays a renewal fee of two hundred fifty dollars.

4. All amounts collected as registration or renewal fees shall be deposited into the insurance dedicated fund.

5. Nothing in this subsection shall require a provider who provides discounts to his or her own patients to obtain and maintain a registration as a discount medical plan organization.

376.1506. 1. If the director has a reason to believe that the discount medical plan organization is not complying with the requirements of sections 376.1500 to 376.1532, the director may examine or investigate the business and affairs of any discount medical plan organization under the authority of sections 374.190 and 374.202

to 374.207, RSMo. The director may require any discount medical plan organization or applicant to produce any records, books, files, advertising and solicitation materials, or other information and may take statements under oath to determine whether the discount medical plan organization or applicant is in violation of the law. Reasonable expenses incurred in conducting any examination shall be paid by the discount medical plan organization under sections 374.202 to 374.207, RSMo.

2. Failure by the discount medical plan organization to pay the expenses incurred under this subsection shall be grounds for denial or revocation of the discount medical plan organization's registration.

376.1508. 1. A discount medical plan organization may charge a reasonable one-time processing fee and a periodic charge as long as the fee is disclosed to the applicant.

2. If the member cancels the membership within the first thirty days after receipt of the discount card and other membership materials, the member shall receive a reimbursement of all periodic charges paid. The return of all periodic charges shall be made within thirty days of the date of the cancellation. If all of the periodic charges have not been paid within thirty days, interest shall be assessed and paid on the proceeds at a rate of the treasury bill rate of the preceding calendar year, plus two percentage points.

3. The right of cancellation shall be set out in the written membership materials on the first page, in ten-point type or larger.

4. If a discount medical plan organization cancels a membership for any reason other than nonpayment of charges by the member, the discount medical plan organization shall make a pro rata reimbursement of all periodic charges to the member.

376.1510. A discount medical plan organization shall not:

(1) Use in its advertisements, marketing material, brochures, and discount cards the terms "health plan", "coverage", "copay", "copayments", "preexisting conditions", "guaranteed issue", "premium", "PPO", "preferred provider organization", or other terms in a manner that could reasonably mislead a person to believe that the discount medical plan is health insurance;

(2) Except for hospital services, have restrictions on free access to plan providers including waiting periods and notification periods;

(3) Pay providers any fees for medical services;

(4) Collect or accept money from a member for payment to a provider for specific medical services furnished or to be furnished to the member, unless the organization is licensed by the director to act as an administrator; or

(5) Except as otherwise provided in sections 376.1500 to 376.1532, as a disclaimer of any relationship between discount medical plan benefits and insurance, or as a description of an insurance product connected with a discount medical plan, use in its advertisements, marketing material, brochures, and discount cards the term "insurance".

376.1512. 1. The following disclosures, to be printed in bold and in not less than twelve-point type, shall be made in writing to any prospective member and shall appear on the first content page of any advertisements, marketing materials or brochures relating to a discount medical plan:

(1) The plan is not insurance;

(2) The plan provides discounts with certain health care providers for medical services;

(3) The plan does not make payments directly to the providers of medical services;

(4) The plan member is obligated to pay for all health care services but will receive a discount from those health care providers who have contracted with the discount plan organization; and

(5) The name and the location of the registered discount medical plan organization, including the current telephone number of the registered discount medical plan organization or other entity responsible for customer service for the plan, if different from the registered discount medical plan organization.

2. If the discount medical plan is sold, marketed, or solicited by telephone, the disclosures required by this section shall be made orally and provided in the initial written materials that describe the benefits under the discount medical plan provided to the prospective or new member.

3. Each discount card or any other plan identifier issued to a plan member shall state in bold and prominent type on the front face of the card that "THIS IS NOT INSURANCE".

376.1514. 1. All providers offering medical services to members under a discount medical plan shall provide such services pursuant to a written agreement. The agreement may be entered into directly by the health care provider or by a health care provider network to which the provider belongs if the provider network has contracts with the health care provider that allow the provider network to contract on behalf of the health care provider.

2. A health care provider agreement shall provide the following:

(1) A description of the services and products to be provided at a discount;

(2) The amount or amounts of the discounts or, alternatively, a fee schedule which reflects the health care provider's discounted rates; and

(3) A provision that the health care provider will not charge members more than the discounted rates.

3. A health care provider agreement with a health care provider network shall require that the health care provider network have written agreements with its health care providers that:

(1) Contain the terms described in this subsection;

(2) Authorize the health care provider network to contract with the discount medical plan organization on behalf of the provider; and

(3) Require the network to maintain an up-to-date list of its contracted health care providers and to provide that list on a quarterly basis to the discount medical plan organization.

4. A health care provider agreement between a discount medical plan organization and an entity that contracts with a health care provider network shall require that the entity, in its contract with the health care provider network, require the health care provider network to have written agreements with its providers that comply with subsection 3 of this section.

5. The discount medical plan organization shall maintain a copy of each active health care provider agreement into which it has entered.

376.1516. 1. Each benefit under the discount medical plan shall be included in the written membership materials between the discount medical plan organization and the member. The written membership materials shall also include a statement notifying the members of their right to cancel under section 376.1508, and such materials shall also list all of the disclosures required by section 376.1512.

2. Upon request by the Director, any forms used by a discount medical plan organization, including written membership materials, shall be submitted to the Director.

376.1518. 1. Each discount medical plan organization registered pursuant to sections 376.1500 to 376.1532, shall at all times maintain a net worth of at least one hundred fifty thousand dollars.

2. The director may not allow a registration unless the discount medical plan organization has a net worth of at least one hundred fifty thousand dollars.

376.1520. Each discount medical plan organization required to be registered pursuant to this section shall provide the director at least thirty days' advance notice of any change in the discount medical plan organization's name, address, principal business address, or mailing address.

376.1522. Each discount medical plan organization shall maintain a current list of the names and addresses of the providers with which it has contracted on a web site page, the address of which shall be prominently displayed on all its advertisements, marketing materials, brochures, and discount cards. This section applies to those providers with whom the discount medical plan organization has contracted directly, as well as those who are members of a provider network with which the discount medical plan organization has contracted.

376.1524. 1. All advertisements, marketing materials, brochures and discount cards used by marketers shall be approved in writing for such use by the discount medical plan organization.

2. The discount medical plan organization shall have an executed written agreement with a marketer prior to the marketer's marketing, promoting, selling, or distributing the discount medical plan.

376.1528. The director under the provisions of section 374.045, RSMo, may promulgate rules to administer and interpret the provisions of sections 376.1500 to 376.1532.

376.1530. 1. The director may deny a registration to an applicant or refuse to renew, suspend, or revoke the registration of a registrant if the applicant or registrant, or an officer, director, or employee of the applicant or registrant:

- (1) Makes a material misstatement or misrepresentation in an application for registration;**
- (2) Fraudulently or deceptively obtains or attempts to obtain a registration for the applicant or registrant or for another;**
- (3) Has advertised, merchandised or attempted to merchandise its services in such a manner as to misrepresent its services or capacity for service or has engaged in deceptive, misleading or unfair practices with respect to advertising or merchandising;**
- (4) In connection with the advertisement, offer, sale or administration of a health care discount program, makes any untrue statement of material fact, conceals any material fact, uses any deception or commits fraud or engages in any dishonest activity;**
- (5) Is not fulfilling its obligations as a discount medical plan organization;**
- (6) Does not have the minimum net worth as required by sections 376.1500 to 376.1532; or**
- (7) Violates any provision of sections 376.1500 to 376.1532, or any law or regulation of this state relating to insurance or the provision of medical care.**

2. If the director has cause to believe that grounds for the suspension or revocation of a registration exist, the director shall notify the discount medical plan organization in writing, specifically stating the grounds for suspension or revocation, and shall provide opportunity for a hearing on the matter before the director.

3. When the registration of a discount medical plan organization is surrendered or revoked, such organization shall proceed, immediately following the effective date of the order of revocation, to wind up its affairs transacted under the registration. The organization may not engage in any further advertising, solicitation, collecting of fees, or renewal of contracts.

376.1532. 1. If the director determines that a person has engaged, is engaging, or has taken a substantial step toward engaging in a violation of sections 376.1500 to 376.1532, or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 376.1500 to 376.1532 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of sections 376.1500 to 376.1532 is a level two violation under section 374.049, RSMo. The director of insurance may also suspend or revoke the license or certificate of authority of such person for any willful violation.

2. If the director believes that a person has engaged, is engaging, or has taken a substantial step toward engaging in a violation of sections 376.1500 to 376.1532 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission or course of business constituting a violation of sections 376.1500 to 376.1532 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of sections 376.1500 to 376.1532 is a level two violation under section 374.049, RSMo."; and

Further amend said bill, Section 377.200, Pages 57 and 58, by inserting after all of said section the following:

"379.361. 1. [The director may, if he finds that any insurer or filing organization has violated any provision of section 379.017 and sections 379.316 to 379.361, impose a penalty of not more than five hundred dollars for each violation, but if he finds the violation to be willful, he may impose a penalty of not more than five thousand dollars for each violation. These penalties may be in addition to any other penalty provided by law.

2. The director may suspend the license of any rating organization or insurer which fails to comply with an order of the director within the time limited by such order, or any extension thereof which the director may grant. The director shall not suspend the license of any rating organization or insurer for failure to comply with an order until the time prescribed for an appeal therefrom has expired or if an appeal has been taken, until the order has been affirmed. The director may determine when a suspension of license shall become effective and it shall remain in effect for the period fixed by him, unless he modifies or rescinds such suspension or until the order upon which such suspension is based is modified, rescinded or reversed.

3. No penalty shall be imposed or no license shall be suspended or revoked except upon a written order of the director, stating his findings, made after a hearing held upon not less than ten days' written notice to such person or

organization specifying the alleged violation] **If the director determines that any insurer or filing organization has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of section 379.017 and sections 379.316 to 379.361 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of section 379.017 and sections 379.316 to 379.361 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo. The practice of using a rate not in effect under section 379.321, if caused by a single act or omission by the insurer or filing organization, is a level two violation under section 374.049, RSMo. Each act as part of a rating violation does not constitute a separate violation under section 374.049, RSMo. The director may also suspend or revoke the license or certificate of authority of an insurer or filing company for any willful violation.**

2. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of section 379.017 and sections 379.316 to 379.361 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of section 379.017 and sections 379.316 to 379.361 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo. The practice of using a rate not in effect under section 379.321, if caused by a single act or omission by the insurer or filing organization, is a level two violation under section 374.049, RSMo. Each act as part of a rating violation does not constitute a separate violation under section 374.049, RSMo.

379.510. [Any person or organization who willfully violates a final order of the director under sections 379.420 to 379.510 shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not to exceed five hundred dollars for such violation] **1. If the director determines that any person has violated a final order of the director under sections 379.420 to 379.510, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.**

2. If the director believes that a person has violated a final order of the director under sections 379.420 to 379.510, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo.

379.790. **1. It is unlawful for** any attorney [who shall] **to** exchange any contracts of indemnity of the kind and character specified in sections 379.650 to 379.790, or directly or indirectly solicit or negotiate any applications for same without first complying with the foregoing provisions[, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than one hundred dollars nor more than one thousand dollars; provided] . However, [that] the director [of insurance] may, in his discretion and on such terms as he may prescribe, issue a permit for organization purposes, the permit to continue in force or be canceled at the pleasure of the director [of insurance].

2. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of this section is a level one violation under section 374.049, RSMo.

3. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of this section or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of this section is a level one violation under section 374.049, RSMo.

380.391. [No] **1. It is unlawful for any** officer, director, member, agent or employee of any company operating under the provisions of sections 380.201 to [380.591 shall.] **380.611 to** directly or indirectly, use or employ,

or permit others to use or employ, any of the money, funds or securities of the company for private profit or gain[, and any such use shall be deemed a felony, punishable, upon conviction, by imprisonment by the department of corrections and human resources for not less than two years nor more than five years for each offense].

2. Any person who willfully engages in any act, practice, omission, or course of business in violation of this section is guilty of a class D felony.

3. The director may refer such evidence as is available concerning violations of this section to the proper prosecuting attorney, who with or without a criminal reference, or the attorney general under section 27.030, RSMo, may institute the appropriate criminal proceedings.

4. Nothing in this section shall limit the power of the state to punish any person for any conduct that constitutes a crime in any other state statute.

380.571. 1. [The director may issue cease and desist orders whenever it appears to him upon competent and substantial evidence that any company operating under the provisions of sections 380.201 to 380.591 is acting in violation of those laws or any other applicable laws or any rule or regulation promulgated by the director pursuant thereto. Before any cease and desist order shall be issued, a copy of the proposed order together with an order to show cause why such cease and desist order should not be issued shall be served either personally or by certified mail on the company named therein.

2. Upon issuing any order to show cause, the director shall notify the company named therein that it is entitled to a public hearing before the director if a request for a hearing is made in writing to the director within fifteen days from the day of the service of the order to show cause why the cease and desist order should not be issued. The cease and desist order shall be issued fifteen days after the service of the order to show cause if no request for a public hearing is made as above provided.

3. Upon receipt of a request for a hearing, the director shall set a time and place for the hearing which shall not be less than ten days or more than fifteen days from the receipt of the request or as otherwise agreed upon by the parties. Notice of the time and place shall be given by the director not less than five days before the hearing.

4. At the hearing the company may be represented by counsel and shall be entitled to be advised of the nature and source of any adverse evidence procured by the director, and shall be given the opportunity to submit any relevant written or oral evidence in its behalf to show cause why the cease and desist order should not be issued.

5. At the hearing the director shall have such powers as are conferred upon him by the provisions of section 374.190, RSMo.

6. At the conclusion of the hearing, or within ten days thereafter, the director shall issue the cease and desist order as proposed or as subsequently modified, or notify the company that no order will be issued.

7. The circuit court of Cole County shall have jurisdiction to review any cease and desist order of the director under the provisions of sections 536.100 to 536.150, RSMo; and, if any company against whom an order is issued fails to request judicial review, or if, after judicial review, the director's cease and desist order is upheld, the order shall become final.

8. If any company willfully violates any provision of any cease and desist order of the director after it becomes final, it may be penalized by the director by a fine of not more than one thousand dollars.

9. The director of insurance may in addition to a monetary fine, suspend or revoke the certificate of authority of any company violating a cease and desist order] **If the director determines that any person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 380.201 to 380.611 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 380.201 to 380.611 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo, except a violation of section 380.391 is a level four violation under section 374.049, RSMo. The director may also suspend or revoke the certificate of authority of such person for any willful violation.**

2. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 380.201 to 380.611 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 380.201 to 380.611 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under

section 374.048, RSMo. A violation of any of these sections is a level two violation under section 374.049, RSMo, except a violation of section 380.391 is a level four violation under section 374.049, RSMo."; and

Further amend said bill, Section 381.068, Page 58, by inserting after all of said section the following:

"384.054. Any tax imposed by sections 384.011 to 384.071 which is delinquent in payment shall be subject to a penalty of **one percent of the tax per diem up to** ten percent of the tax. Any delinquent tax shall bear interest at the rate determined under section 32.065, RSMo, from the time such tax is due

384.071. 1. **If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 384.011 to 384.071 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 384.011 to 384.071 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of any of these sections is a level three violation under section 374.049, RSMo.**

2. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice or course of business constituting a violation of sections 384.011 to 384.071 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 384.011 to 384.071 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of any of these sections is a level three violation under section 374.049, RSMo.

3. Any surplus lines licensee who in this state represents or aids a nonadmitted insurer in violation of the provisions of sections 384.011 to 384.071 may be found guilty of a class B misdemeanor and subject to a fine not in excess of one thousand dollars.

[2. In addition to any other penalty provided for herein or otherwise provided by law, including any suspension, revocation or refusal to renew a license, any person, firm, association or corporation violating any provision of sections 384.011 to 384.071 shall be liable to a penalty not exceeding one thousand dollars for the first offense, and not exceeding two thousand dollars for each succeeding offense.

3.] **4. The above penalties are not exclusive remedies. [Penalties may also be assessed under sections 375.930 to 375.948, RSMo.]"; and**

Further amend said bill, Section 409.950, Page 58, by inserting after all of said section the following:

"[374.261. As used in sections 374.261 to 374.269, the following words mean:

- (1) "Director", the director of the department of insurance;
- (2) "Examiners", nonsalaried employees of the department of insurance conducting an examination pursuant to section 374.190;
- (3) "Sick leave", those days of leave taken during the conduct of an examination during which an examiner is prevented from conducting an examination due to illness or injury.]

[374.263. There is hereby created in the state treasury a fund to be known as the "Insurance Examiner's Sick Leave Fund", hereinafter referred to as the "fund". The fund shall be used to pay the daily wages of department of insurance examiners who are temporarily unable to continue an examination of an insurance company or companies pursuant to section 374.190, because of illness or injury suffered or sustained by the examiner during the course of the examination which the examiner is conducting.]

[374.265. 1. There shall be an amount assessed against those domestic insurers which are subject to premium tax and are engaged in the business of insurance within this state, which amount shall be no less than one hundred and fifty nor greater than five hundred dollars.

2. The initial assessment shall be made within one month of September 28, 1981, in the total amount of thirty-six thousand dollars. Thereafter, assessments shall be made annually, or as needed whenever the balance in the fund becomes less than ten thousand dollars. The amount of such

subsequent assessments shall be that amount necessary to return the balance in the fund to thirty-six thousand dollars.]

[374.267. 1. The director of the department of insurance, his agents or appointees shall be empowered to make assessments pursuant to section 374.265, and to administer the fund.

2. The director, his agents or appointees shall compensate an examiner out of the fund only after the examiner has satisfied the director, his agents or appointees that:

(1) The examiner was employed by the department of insurance to conduct an examination of an insurance company or companies pursuant to section 374.190 at the time of the illness or injury for which daily wages are claimed; and

(2) The examiner was prevented from conducting the examination due to illness or injury.

3. The amount paid by the director, his agents or appointees to an examiner from the fund shall not exceed the amount of the examiner's daily wages times the number of days during which the examiner was prevented from conducting an examination as result of illness or injury, but in no event shall any examiner be paid for more than one and one-fourth days times the number of months for which he has been employed by the department of insurance as an examiner, nor shall an examiner be paid for or receive credit for sick leave after August 13, 1988, for or on the basis of any month, months or portion thereof before August 13, 1988.]" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 2** is not in order pursuant to Rule 84.

The Chair ruled the point of order not well taken.

Representative Burnett offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 66, Pages 28-29, Section 374.185-374.208, by deleting said sections from the bill.

Representative Burnett moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Talboy offered **House Amendment No. 2 to House Amendment No. 2.**

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 66, Pages 88-89, Section 376.620, Lines 16-24 and Lines 1-4, Page 88, Line 16, delete open bracket and on Line 20, delete closed bracket.; and

Further amend said bill, by deleting Section 1, Page 88, and deleting Section 2, Lines 1-4 of Page 89.

Representative Talboy moved that **House Amendment No. 2 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Donnelly
El-Amin	Fallert	Flook	Frame	Grill
Harris 110	Haywood	Hodges	Holsman	Hughes
Johnson	Kuessner	Lampe	LeVota	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Zweifel	

NOES: 102

Avery	Baker 25	Baker 123	Bearden	Bivins
Brandom	Brown 30	Bruns	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Funderburk
George	Guest	Hobbs	Hoskins	Hubbard
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Lembke
Liese	Lipke	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Young
Zimmerman	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Cunningham 145	Franz	Grisamore	Harris 23
Page	Wildberger			

On motion of Representative Yates, **House Amendment No. 2** was adopted.

Representative Davis offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 66, Line 5 of the Title, by inserting after "RSMo," the following:

"and section 376.1753 as truly agreed and finally passed in Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 818, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after "RSMo," the following:

"and section 376.1753 as truly agreed and finally passed in Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 818, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 1, Section A, Line 9, by inserting after all of said section the following:

"334.010. 1. It shall be unlawful for any person not now a registered physician within the meaning of the law to practice medicine or surgery in any of its departments, to engage in the practice of medicine across state lines or to profess to cure and attempt to treat the sick and others afflicted with bodily or mental infirmities, [or engage in the practice of midwifery in this state,]except as herein provided.

2. For the purposes of this chapter, the "practice of medicine across state lines" shall mean:

(1) The rendering of a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent; or

(2) The rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent.

3. A physician located outside of this state shall not be required to obtain a license when:

(1) In consultation with a physician licensed to practice medicine in this state; and

(2) The physician licensed in this state retains ultimate authority and responsibility for the diagnosis or diagnoses and treatment in the care of the patient located within this state; or

(3) Evaluating a patient or rendering an oral, written or otherwise documented medical opinion, or when providing testimony or records for the purpose of any civil or criminal action¹ before any judicial or administrative proceeding of this state or other forum in this state; or

(4) Participating in a utilization review pursuant to section 376.1350, RSMo.

334.120. 1. There is hereby created and established a board to be known as "The State Board of Registration for the Healing Arts" for the purpose of registering, licensing and supervising all physicians and surgeons [, and midwives] in this state. The board shall consist of nine members, including one voting public member, to be appointed by the governor by and with the advice and consent of the senate, five of whom shall be graduates of professional schools approved and accredited as reputable by the American Medical Association or the Liaison Committee on Medical Education and two of whom shall be graduates of professional schools approved and accredited as reputable by the American Osteopathic Association, and all of whom, except the public member, shall be duly licensed and registered as physicians and surgeons pursuant to the laws of this state. Each member must be a citizen of the United States and must have been a resident of this state for a period of at least one year next preceding his or her appointment and shall have been actively engaged in the lawful and ethical practice of the profession of physician and surgeon for at least five years next preceding his or her appointment. Not more than four members shall be affiliated with the same political party. All members shall be appointed for a term of four years. Each member of the board shall receive as compensation an amount set by the board not to exceed fifty dollars for each day devoted to the affairs of the board, and shall be entitled to reimbursement of his or her expenses necessarily incurred in the discharge of his or her official duties. The president of the Missouri State Medical Association, for all medical physician appointments, or the president of the Missouri Association of Osteopathic Physicians and Surgeons, for all osteopathic physician appointments, in office at the time shall, at least ninety days prior to the expiration of the term of the respective board member, other than the public member, or as soon as feasible after the appropriate vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five physicians and surgeons qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri State Medical Association or the Missouri Association of Osteopathic

Physicians and Surgeons, as appropriate, shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

2. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. The duties of the public member shall not include the determination of the technical requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure."; and

Further amend said bill, Page 58, Section 409.950, Line 7, by inserting after all of said section the following:

"[334.260. On August 29, 1959, all persons licensed under the provisions of chapter 334, RSMo 1949, as midwives shall be deemed to be licensed as midwives under this chapter and subject to all the provisions of this chapter.];" and

Further amend said bill, Page 59, Line 15, by inserting after all of said line the following:

"[376.1753. Notwithstanding any law to the contrary, any person who holds current ministerial or tocological certification by an organization accredited by the National Organization for Competency Assurance (NOCA) may provide services as defined in 42 U.S.C. 1396 r-6(b)(4)(E)(ii)(I).]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Davis moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Haywood offered **House Amendment No. 4**.

Representative Yates raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Yates, **SCS SB 66, as amended**, was read the third time and passed by the following vote:

AYES: 125

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Ervin	Faith	Fallert
Fares	Funderburk	George	Grill	Guest
Harris 23	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Lampe
Lembke	LeVota	Lipke	Lowe 44	Marsh

May	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruzicka
Salva	Sander	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Schoemehl	Self
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Weter	Wilson 119	Wood	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 033

Bringer	Burnett	Cox	Emery	Fisher
Flook	Frame	Harris 110	Haywood	Hodges
Hunter	Johnson	Kuessner	Liese	Loehner
Low 39	McClanahan	Moore	Rucker	Ruestman
Sater	Scavuzzo	Schieffer	Shively	Swinger
Talboy	Todd	Wells	Whorton	Wildberger
Wilson 130	Witte	Wright 159		

PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman	Cunningham 145	Franz	Grisamore	Nieves
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Speaker Pro Tem Bearden declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS HB 744, as amended, relating to transportation, was taken up by Representative St. Onge.

Representative St. Onge moved that the House refuse to adopt **SS HB 744, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Cooper (120) made a substitute motion that the House refuse to adopt **SS HB 744, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the conferees be allowed to exceed the differences in Sections 388.700 through 388.742 as Truly Agreed To and Finally Passed on SS SCS HCS HB 327, as amended.

Representative Schad moved to amend the substitute motion by adding after the word “amended” the following:

“and bind conferees to the House position on **SS HB 744, as amended**, with respect to the enforcement of seat belt laws being primary.”.

Representative Roorda requested a roll call on the amendment to the substitute motion.

Representative Roorda moved to withdraw the request for a roll call on the amendment to the substitute motion.

An objection was noted.

On motion of Representative Schad, the amendment to the substitute motion was adopted by the following vote:

AYES: 113

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 86	Davis	Day	Deeken	Dempsey
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fallert	Fisher	Flook	Frame
Funderburk	Guest	Harris 110	Haywood	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kraus	Kuessner	Lembke	Liese	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 150
Stevenson	St. Onge	Sutherland	Swinger	Talboy
Thomson	Tilley	Viebrock	Vogt	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Young	Mr Speaker		

NOES: 040

Baker 25	Bland	Burnett	Casey	Corcoran
Curls	Daus	Donnelly	El-Amin	Fares
George	Grill	Harris 23	Hodges	Holsman
Komo	Lampe	LeVota	Low 39	Lowe 44
McClanahan	Norr	Oxford	Page	Quinn 9
Scavuzzo	Shively	Skaggs	Smith 14	Storch
Stream	Threlkeld	Todd	Villa	Walsh
Wildberger	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 004

Darrough	Dougherty	Schoemehl	Spreng
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ABSENT WITH LEAVE: 006

Bowman	Cunningham 145	Denison	Franz	Grisamore
Kratky				

Representative Tilley assumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 86	Davis	Day	Deeken
Dempsey	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Funderburk	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 068

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Cunningham 145	Denison	Franz	Grisamore
Kratky	Kuessner			

Representative Cooper (120) moved that the House refuse to adopt **SS HB 744, as amended**, and request the Senate to recede from its position, and failing to do so, grant the House a conference and that the conferees be allowed to exceed the differences in Sections 388.700 through 388.742 as Truly Agreed To and Finally Passed on SS SCS HCS HB 327, as amended and bind conferees to the House position on **SS HB 744, as amended**, with respect to the enforcement of seat belt laws being primary.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 516, relating to judicial personnel and procedures, was taken up by Representative Pratt.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 516, Page 111, Section 488.2253, Line 15, by inserting after all of said line the following:

"488.2300. 1. A "Family Services and Justice Fund" is hereby established in each county or circuit with a family court, for the purpose of aiding with the operation of the family court divisions and services provided by those divisions. In **any** circuits or counties having a family court **other than St. Louis County and Jackson County**, the circuit clerk shall charge and collect a surcharge of thirty dollars in all proceedings falling within the jurisdiction of the family court. **The circuit clerk of St. Louis County and Jackson County shall charge and collect a surcharge as established by its circuit court not to exceed forty-five dollars in all proceedings falling within the jurisdiction of the family court.** The surcharge shall not be charged when no court costs are otherwise required, shall not be charged against the petitioner for actions filed pursuant to the provisions of chapter 455, RSMo, but may be charged to the respondent in such actions, shall not be charged to a government agency and shall not be charged in any proceeding when costs are waived or are to be paid by the state, county or municipality.

2. In juvenile proceedings under chapter 211, RSMo, a judgment [of up to thirty dollars] **in an amount authorized in subsection 1 of this section** may be assessed against the child, parent or custodian of the child, in addition to other amounts authorized by law, in informal adjustments made under the provisions of sections 211.081 and 211.083, RSMo, and in an order of disposition or treatment under the provisions of section 211.181, RSMo. The judgment may be ordered paid to the clerk of the circuit where the assessment is imposed.

3. All sums collected pursuant to this section and section 487.140, RSMo, shall be payable to the various county family services and justice funds.

4. Any moneys in the family services and justice fund not expended for salaries of commissioners, family court administrators and family court staff shall be used toward funding the enhanced services provided as a result of the establishment of a family court; however, it shall not replace or reduce the current and ongoing responsibilities of the counties to provide funding for the courts as required by law. Moneys collected for the family services and justice fund shall be expended for the benefit of litigants and recipients of services in the family court, with priority given to services such as mediation, counseling, home studies, psychological evaluation and other forms of alternative dispute-resolution services. Expenditures shall be made at the discretion of the presiding judge or family court administrative judge, as designated by the circuit and associate circuit judges en banc, for the implementation of the family court system as set forth in this section. No moneys from the family services and justice fund may be used to pay for mediation in any cause of action in which domestic violence is alleged.

5. From the funds collected pursuant to this section and retained in the family services and justice fund, each circuit or county in which a family court commissioner in addition to those commissioners existing as juvenile court commissioners on August 28, 1993, have been appointed pursuant to sections 487.020 to 487.040, RSMo, shall pay to and reimburse the state for the actual costs of that portion of the salaries of family court commissioners appointed pursuant to the provisions of sections 487.020 to 487.040, RSMo.

6. No moneys deposited in the family services and justice fund may be expended for capital improvements."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Pratt offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 516, Page 30, Section 195.202, Line 7, by inserting after the word "**violates**" the words "**subsection 2 of**"; and

Further amend House Committee Substitute for Senate Bill No. 516, Page 30, Section 195.202, Line 9, by inserting after all of said line the following:

"210.854. 1. In the event of the entry of a judgment of paternity and support, a person against whom such a judgment has been entered may file a petition requesting a circuit court with jurisdiction over the subject child or children to set aside said judgment in the interests of justice and upon the grounds set forth in this section. Any such petition shall be served upon the biological mother and any other legal guardian or custodian.

2. The petition shall include an affidavit executed by the petitioner alleging that evidence exists which was not considered before entry of judgment and either:

(1) An allegation that genetic testing was conducted within ninety days prior to the filing of such petition using DNA methodology to determine the probability or improbability of paternity, and performed by an expert as defined in section 210.834. The affidavit shall also allege that the test results indicate a ninety-nine percent or greater probability that the person subject to the child support payment order is not the child's father; or

(2) A request to the court for an order of genetic paternity testing using DNA methodology.

3. The court, after a hearing wherein all interested parties have been given an opportunity to present evidence and be heard, may order the relevant parties to submit to genetic paternity testing upon a finding of probable cause to believe said testing may result in a determination of non-paternity. The genetic paternity testing costs shall be paid by the petitioner.

4. The court shall grant relief on the petition and enter judgment setting aside the previous judgment of paternity and support, or acknowledgment of paternity under section 210.823, extinguish any existing child support arrearage, and order the department of health and senior services to modify the child's birth certificate accordingly upon a finding that the genetic test referred to herein was properly conducted, accurate and indicates a ninety-nine percent or greater probability that the person subject to the child support payment order is not the child's father.

5. The provisions of this section shall not apply to grant relief to the parent of any adopted child.

6. A finding under subsection 4 of this section shall constitute a material mistake of fact under section 210.823.

7. Notwithstanding any other provision of law to the contrary, an action under this section may be brought at any time.

8. The provisions of this section shall not be construed to create a cause of action to recover child support or state debt, under subdivision (2) of subsection 1 of section 454.465, RSMo, and subsection 10 of section 425.340, RSMo, that was previously paid pursuant to the order. The petitioner shall have no right for reimbursement for any moneys previously paid pursuant to said order."; and

Further amend said bill, Page 66, Section 407.300, Line 29, by deleting from said line the word "**business.**" and inserting in lieu thereof the following:

"business; or

(4) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for equipment used in the generation and transmission of electric power."; and

Further amend said bill, Page 77, Section 429.010, Line 40, by deleting the word "**this**" and inserting after the word "**subsection**" the number "**2**"; and

Further amend House Committee Substitute for Senate Bill No. 516, Page 100, Section 455.038, Line 10, by inserting after all of said line the following:

"The provisions of this section shall only apply to those circuit clerks able to access a statewide victim notification system designed to provide notification of service of orders of protection."; and

Further amend House Committee Substitute for Senate Bill No. 516, Page 103, Section 478.463, Line 8, by inserting after the word "**twenty**" the word "**shall**"; and

Further amend House Committee Substitute for Senate Bill No. 516, Page 107, Section 484.280, Line 6, by inserting after the word "**compensation**", the following:

"; however, no state court judge serving pursuant to article V, Constitution of Missouri, shall be permitted to engage in the practice of law during his or her term in office, except for such limited purpose as authorized by supreme court rule"; and

Further amend House Committee Substitute for Senate Bill No. 516, Page 110, Section 488.2253, Line 1, by deleting the phrase "**1.**"; and

Further amend said section, Page 111, Lines 6-15, by deleting all of said lines; and

Further amend House Committee Substitute for Senate Bill No. 516, Page 113, Section 510.120, Line 9, by inserting an open bracket "[" immediately preceding the word "more"; and

Further amend said section, Page 113, Line 10, by inserting a closed bracket "]" after the word "subsection"; and

Further amend House Committee Substitute for Senate Bill No. 516, Page 117, Section 548.260, Line 27, by inserting after all of said line the following:

"556.036. 1. A prosecution for murder, forcible rape, attempted forcible rape, forcible sodomy, attempted forcible sodomy, or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced within the following periods of limitation:

- (1) For any felony, three years;
- (2) For any misdemeanor, one year;
- (3) For any infraction, six months.

3. If the period prescribed in subsection 2 of this section has expired, a prosecution may nevertheless be commenced for:

(1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to section 407.553, RSMo, for purposes of offenses committed pursuant to sections 407.511 to 407.556, RSMo; and

(2) Any offense based upon misconduct in office by a public officer or employee at any time when the defendant is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years; [and]

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years; **and**

(4) Any violation of sections 569.040 to 569.055, RSMo, within five years.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced for a misdemeanor or infraction when the information is filed and for a felony when the complaint or indictment is filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; or

(2) During any time when the accused is concealing himself from justice either within or without this state;
or
(3) During any time when a prosecution against the accused for the offense is pending in this state; or
(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Tilley requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

On motion of Representative Pratt, **House Amendment No. 2** was adopted.

Representative Dixon offered **House Amendment No. 3**.

Representative Skaggs raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Tilley requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Bivins offered **House Amendment No. 4**.

Representative Darrough raised a point of order that **House Amendment No. 4** is not germane to the bill.

Representative Tilley requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Lipke offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 516, Page 117, Section 548.260, Lines 1-27, by removing all of said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 5** was adopted.

Representative Grill offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 516, Page 115, Section 535.025, Lines 1-4, by striking said lines.

Representative Grill moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

HCS SB 516, as amended, was laid over.

BILL CARRYING REQUEST MESSAGE

CCR#2 HCS SCS SB 64, as amended, relating to elementary and secondary education, was taken up by Representative Wallace.

Wallace moved that the House grant the Senate a further conference on **HCS SCS SB 642, as amended**.

Which motion was adopted.

Representative Jones (89) assumed the Chair.

BILL IN CONFERENCE

CCR HCS SCS SBs 62 & 41, as amended, relating to defensive use of force and firearms, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **CCR HCS SCS SBs 62 & 41, as amended**, was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Funderburk	George	Grill	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger

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Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 006

Bowman	Curls	Low 39	Nasheed	Oxford
Wright-Jones				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bruns	Cunningham 145	Franz	Grisamore	Lowe 44
Marsh				

On motion of Representative Ruestman, **CCS HCS SCS SBs 62 & 41**, was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Funderburk	George	Grill
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 006

Bowman Curls Low 39 Nasheed Oxford
Wright-Jones

PRESENT: 000

ABSENT WITH LEAVE: 006

Cunningham 145 Franz Grisamore Lembke Lowe 44
Marsh

Representative Jones (89) declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 159** and grants the House a conference thereon and the conferees be allowed to exceed the differences so as to exclude second, third and fourth class counties from the entire bill, and that the conferees are bound thereto.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 159**: Senators Engler, Lager, Griesheimer, Green and Callahan.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 780, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HCS HB 780, as amended**: Senators Scott, Nodler, Engler, Green and Kennedy.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 952 & 674**, entitled:

An act to repeal sections 198.073, 198.076, 198.079, 198.086, and 320.202, RSMo, and to enact in lieu thereof eight new sections relating to protection of vulnerable persons in long-term care facilities, with a termination date for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, Senate Substitute Amendment No. 1 for Senate Amendment No. 3 and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 952 & 674, Page 14, Section 198.076, Lines 17-19, by deleting all of said line; and

Further amend said bill, Section 198.079, Page 15, Lines 24-26 of said page, by deleting all of said line.

Senate Amendment No. 1
to
Senate Amendment No. 2

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 952 & 674, Page 1, Section 198.074, Line 3, by striking “thirty” and inserting in lieu thereof “**twenty**”.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 952 & 674, Page 9, Section 198.074, Line 14 of said page, by inserting immediately following the word “facilities” on said line “with more than thirty residents”.

Senate Substitute Amendment No. 1
for
Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 952 & 674, Pages 21-22, Section 1, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 952 & 674, Page 11, Section 198.074, Line 8, by adding at the end of said line the following:

“(4) No payments or interest shall be due until the average total reimbursement rate for the care of persons eligible for Medicaid public assistance is equal to or greater than forty-eight dollars.”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 22, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 30, as amended**, and has taken up and passed **CCS HCS SB 30**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 64, as amended**: Senators Goodman, Shields, Mayer, Smith and Wilson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 82, as amended**, and has taken up and passed **CCS HCS SCS SB 82**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 84, as amended**, and has taken up and passed **CCS HCS SB 84**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 86, as amended**: Senators Champion, Lager, Griesheimer, Bray and Kennedy.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the Conference Committee Report on **HCS SCS SB 308, as amended**, and requests the House grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 429, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SCS SB 64: Representatives Wallace, Cunningham (86), Muschany, Aull and Lampe

Representative Jones (89) resumed the Chair.

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 308, as amended, relating to licensed professionals, was taken up by Representative Wasson.

Wasson moved that the House grant the Senate a further conference on **HCS SCS SB 308, as amended**.

Representative Skaggs moved to amend the motion by adding "and to exceed the differences to include HB 818 without the midwifery provision."

Representative Yates raised a point of order that the amending motion was improperly drafted.

Speaker Pro Tem Bearden resumed the Chair.

The Chair ruled the point of order well taken.

Representative Wasson again moved that the House grant the Senate a further conference on **HCS SCS SB 308, as amended**.

Which motion was adopted.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS#2 SS SCS SB 3 - Fiscal Review (Fiscal Note)

**CONFERENCE COMMITTEE REPORT
ON
HOUSE BILL NO. 574**

The Conference Committee appointed on House Bill No. 574, with Senate Amendment No. 1 and Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Bill No. 574, as amended;
2. That the House recede from its position on House Bill No. 574;
3. That the attached Conference Committee Substitute for House Bill No. 574, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Neal St. Onge
/s/ Charles Schlottach
/s/ Walter Bivins
/s/ Michael Daus
/s/ John Kuessner

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Scott Rupp
/s/ Matt Bartle
/s/ Harry Kennedy
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 82**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 9, 10, and 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, House Amendment Nos. 15, 16, 17, 19, 20, 21, and 22, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 82;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Griesheimer
/s/ Bill Stouffer
/s/ Carl Vogel
/s/ Rita Heard Days
/s/ Joan Bray

FOR THE HOUSE:

/s/ Steven Tilley
/s/ Dwight Scharnhorst
/s/ Michael Parson
/s/ Bradley Robinson

Subscribed and sworn to before me this 15th day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Scott Muschany, District 87, hereby state and affirm that my vote as recorded on Page 1808 of the House Journal for May 11, 2007 was incorrectly recorded Absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2007.

/s/ Scott Muschany
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Jeff Roorda, District 102, hereby state and affirm that my vote as recorded on Page 1711 of the House Journal for May 10, 2007 was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2007.

/s/ Jeff Roorda
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Jay Wasson, District 141, hereby state and affirm that my vote as recorded on Page 1896 of the House Journal for May 14, 2007 was incorrectly recorded as Absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2007.

/s/ Jay Wasson
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of May in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Wednesday, May 16, 2007, 8:45 a.m. Senate Committee Room No. 2.
Conference Committee on HCS SCS SB 156 AMENDED

CONFERENCE COMMITTEE NOTICE

Wednesday, May 16, 2007, 1:00 p.m. Hearing Room 6.
Conference Committee on SS SCS HB 255.

FISCAL REVIEW

Wednesday, May 16, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 17, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 18, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, May 16, 2007, 8:30 a.m. Hearing Room 6.
Any bill referred to the Committee on Rules Pursuant to Rule 25(21)(f).
Executive session may follow. CANCELLED

HOUSE CALENDAR

SEVENTY-SIXTH DAY, WEDNESDAY, MAY 16, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden
- 5 HCS HJR 31 - Lembke

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf

- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821, HA 1, pending - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HCS HB 425 - Pearce

59 HCS HB 429 - Jones (117)
60 HCS HB 716 - Davis
61 HCS HB 95 - Sater
62 HB 479 - Darrough
63 HB 733 - Page
64 HCS HB 769 - Bruns
65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
66 HB 1155 - Wright-Jones
67 HCS HB 442 - Kingery
68 HB 727 - Portwood
69 HB 888 - Grisamore
70 HCS HB 923 - Kratky
71 HB 1251 - Komo
72 HCS HB 331 - Lipke
73 HCS#2 HB 735 - Cooper (158)
74 HCS HB 833 - Wasson
75 HB 1104 - Hughes
76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
77 HCS HB 886 - Schlottach
78 HCS HB 869 - Holsman
79 HB 1052 - Brown (50)
80 HCS HB 1272 - El-Amin
81 HCS HB 1023 - Quinn (7)
82 HCS HB 1108 - Pratt
83 HCS#2 HBs 406 & 726 - Cox
84 HCS HB 968 - Bivins
85 HB 1034 - Emery

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

1 HCR 28, (2-27-07, Pages 438-439) - Walton
2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
3 HCR 33, (3-30-07, Pages 872-873) - Guest
4 HCR 43, (4-12-07, Pages 1081-1082) - Page
5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
7 HCR 38, (4-19-07, Page 1248) - Wright
8 HCR 44, (4-24-07, Page 1314) - Smith (14)
9 HCS HCR 45, (4-25-07, Page 1347) - Roorda
10 HCS HCR 5, (5-08-07, Pages 1618-1619) - Burnett

SENATE BILLS FOR THIRD READING

- 1 SB 135 - Kingery
- 2 HCS SCS SB 232 - Cooper (158)
- 3 HCS SCS SB 520 - Hunter
- 4 HCS SB 593 & SCS SB 594 - May
- 5 SB 648 - Kelly
- 6 HCS SS SCS SB 320 - Quinn (7)
- 7 SCS SB 418 - Weter
- 8 HCS SB 218 - Deeken
- 9 HCS SS SB 112 - Faith
- 10 SB 271 - Pearce
- 11 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 12 HCS SB 315 - Munzlinger
- 13 HCS SCS SB 52, (Fiscal Review 5-07-07), E.C. - St. Onge
(150 minutes debate on Third Reading)
- 14 SB 162 - Deeken
- 15 SB 171 - Wasson
- 16 HCS SCS SB 197 - Yates
- 17 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 18 SS SB 417 - Parson
- 19 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 20 HCS SCS SB 497 - Wilson (119)
- 21 SCS SB 525 - Wasson
- 22 SCS SB 526 - Wasson
- 23 HCS SS SCS SB 5, E.C. - Cox
- 24 HCS SS SCS SB 85 - Dixon
- 25 SS SCS SB 215, HCA 1 - Yates
- 26 HCS SCS SB 299 & SS SCS SB 616 - Cooper (120)
- 27 HCS SB 323 - Baker (25)
- 28 HCS SB 325 - Yates
- 29 HCS SCS SB 328, (Fiscal Review 5-10-07) - Robb
- 30 SB 481 - Pratt
- 31 SCS SB 482 - Bearden
- 32 HCS SB 582, (Fiscal Review 5-10-07) - Sutherland
(90 minutes date on Third Reading)
- 33 SB 671 - Pratt
- 34 HCS#2 SCS SB 313 - Sutherland
- 35 HCS SB 516, as amended - Pratt
- 36 HCS#2 SCS SB 333 - Cooper (155)
- 37 SS SCS SB 21, E.C. - Schlottach
- 38 HCS SS SB 40, (Fiscal Review 5-14-07) - Ervin
- 39 HCS SCS SBs 45 & 39 - Stevenson
- 40 HCS SCS SB 75 - Day
- 41 HCS#2 SCS SB 163, (Fiscal Review 5-14-07) - Pratt
- 42 HCS SCS SB 368, (Fiscal Review 5-14-07) - Pratt
- 43 HCS SS SCS SB 428, (Fiscal Review 5-14-07), E.C. - Quinn (7)
- 44 SB 605 - St. Onge
- 45 SCS SB 611, (Fiscal Review 5-14-07) - Pratt
- 46 HCS SS SB 654 - Kratky
- 47 SS SCS SB 225 - Munzlinger
- 48 HCS#2 SS SCS SB 3, (Fiscal Review 5-15-07) - Stevenson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HB 134 - Guest
- 2 SCS HCS HB 298 - Cooper (120)
- 3 SS HB 579, E.C. - Dempsey
- 4 SCS HCR 20, (5-14-07) - Guest
- 5 SS SCS HCS HBs 952 & 674, as amended - Wilson (130)

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SS SCS SB 22, as amended, E.C. - Schneider
(request House recede/grant conference)
- 2 HCS SS SCS SB 429, as amended - Stream
(request House recede/grant conference)
- 3 SS HB 744, as amended - St. Onge
(request Senate recede/grant conference/exceed differences/bind conferees)

BILLS IN CONFERENCE

- 1 CCR HCS SB 30, as amended, E.C. - Stevenson
- 2 CCR HCS SB 81, as amended, E.C. - Schlottach
- 3 CCR HCS SB 25, as amended - Franz
- 4 CCR HB 574, SA 1, SA 3, E.C. - St. Onge
- 5 SS HB 665, as amended - Ervin
- 6 CCR#2 HCS#2 SB 406, as amended - Wallace
- 7 CCR HCS SCS SB 82, as amended - Tilley
- 8 CCR HCS SB 84, as amended - Franz
- 9 CCR HCS SB 416 - Pratt
- 10 HCS SCS SB 156, as amended, E.C. - Quinn (7)
- 11 SS SCS HB 255, as amended, E.C. - Bruns
- 12 HCS SCS SB 86, as amended, E.C. - Sutherland
- 13 HCS SS SCS SB 577, as amended, E.C. - Schaaf
- 14 SCS HCS HB 159, (exceed differences/bind conferees) - Bivins
- 15 SS SCS HCS HB 780, as amended - Wasson
- 16 HCS SCS SB 64, as amended - Wallace
- 17 HCS SCS SB 308, as amended - Wasson

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-SIXTH DAY, WEDNESDAY, MAY 16, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

We rely completely on You, Lord, as You turn toward us and hear our daily request for help. You have walked us through the tough decisions, granted our request for wisdom and insight, granted peace in the midst of turmoil and encouraged us in disappointment. By Your grace we have strength of mind and body to endure the extended hours. We want to do what pleases You, O God. Your law dominates our thoughts.

We continue to seek Your wisdom to sustain us through the end of this Session and beyond. For wisdom that comes from You is the antonym of pride, arrogance, dishonesty, and pretense of every kind.

Yours is counsel and advice; Yours is strength and understanding and with Your help, we, as leaders and lawmakers will legislate fairly. May we, by Your grace, finish well this week.

Now may You, God of all hope, fill us with all joy and peace in believing, so that we would abound in hope by the power of Your spirit.

We ask these things in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amy Ruggeri, Mike Ruggeri, Dominic Ruggeri, Josie Ruggeri, Alyssa Bryan and Chelsea Townsend.

The Journal of the seventy-fifth day was approved as corrected.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SS SCS SB 3** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 40** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 52** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Not Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 163** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 368** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 428** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 582** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 611** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR

MAY 16, 2007

SENATE BILL FOR THIRD READING

SB 140 - Cunningham (86)

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

SS SCS HCS HB 780: Representatives Wasson, Bearden, Parson, Page and Quinn (9)

HCS SCS SB 308: Representatives Wasson, Parson, Tilley, McClanahan and Page

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILLS

HCS SCS SB 497, relating to counties, was taken up by Representative Wilson (119).

On motion of Representative Wilson (119), **HCS SCS SB 497** was adopted.

On motion of Representative Wilson (119), **HCS SCS SB 497** was read the third time and passed by the following vote:

AYES: 156

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery

Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Bruns	Cunningham 145	Haywood	Meadows
Schneider				

Speaker Pro Tem Bearden declared the bill passed.

SCS SB 418, relating to a supplemental nursing care program, was taken up by Representative Weter.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Baker 123	Bearden	Bivins	Brandom	Brown 30
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberry	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger

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Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 066

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 002

Quinn 9	Todd
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ABSENT WITH LEAVE: 006

Avery	Bruns	Cunningham 145	Kratky	Meadows
Schneider				

On motion of Representative Weter, **SCS SB 418** was truly agreed to and finally passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Holsman	Hoskins	Hubbard	Hughes
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany

Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Bruns	Cooper 120	Cunningham 145	Hodges
Hunter	Johnson	Kratky	Salva	Schneider
Schoemehl	Todd	Wasson	Wells	

Speaker Pro Tem Bearden declared the bill passed.

HCS SS SB 112, relating to early intervention services, was taken up by Representative Faith.

Representative Faith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 112, Page 7, Section 160.933, Line 23, by inserting after all of said line the following:

"162.675. As used in sections 162.670 to 162.995, unless the context clearly indicates otherwise, the following terms mean:

(1) **"Children with disabilities" or "handicapped children", children under the age of twenty-one years who have not completed an approved high school program and who, because of mental, physical, emotional or learning problems, require special educational services;**

(2) "Gifted children", children who exhibit precocious development of mental capacity and learning potential as determined by competent professional evaluation to the extent that continued educational growth and stimulation could best be served by an academic environment beyond that offered through a standard grade level curriculum;

[(2) "Handicapped children", children under the age of twenty-one years who have not completed an approved high school program and who, because of mental, physical, emotional or learning problems, require special educational services;]

(3) "Severely handicapped children", handicapped children under the age of twenty-one years who meet the eligibility criteria for state schools for severely handicapped children, identified in state regulations that implement the Individuals with Disabilities Education Act;

(4) "Special educational services", programs designed to meet the needs of **children with disabilities or** handicapped or severely handicapped children and which include, but are not limited to, the provision of diagnostic and evaluation services, student and parent counseling, itinerant, homebound and referral assistance, organized instructional and therapeutic programs, transportation, and corrective and supporting services."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 1** was adopted.

Representative Pollock offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 112, Page 6, Section 160.930, Lines 1 to 12, by deleting all of said lines from the bill; and

Further amend said bill, Page 11, Section 376.1218, Line 71, by inserting after all of said line the following:

"[160.930. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the program authorized under sections 160.900 to 160.925, section 162.700, RSMo, and section 376.1218, RSMo, shall automatically sunset two years after August 28, 2005, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 160.900 to 160.925, section 162.700, RSMo, and section 376.1218, RSMo, shall automatically sunset twelve years after the effective date of the reauthorization of sections 160.900 to 160.925, section 162.700, RSMo, and section 376.1218, RSMo; and

(3) Sections 160.900 to 160.925, section 162.700, RSMo, and section 376.1218, RSMo, shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 160.900 to 160.925, section 162.700, RSMo, and section 376.1218, RSMo, is sunset.]" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 2** was adopted.

Representative Pratt offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 112, Section 160.933, Page 7, by inserting after all of said section the following:

"162.431. 1. When it is necessary to change the boundary lines between seven-director school districts, in each district affected, ten percent of the voters by number of those voting for school board members in the last annual school election in each district may petition the district boards of education in the districts affected, regardless of county lines, for a change in boundaries. The question shall be submitted at the next [general municipal] election, **as the term "election" is defined in section 115.123, RSMo.**

2. The voters shall decide the question by a majority vote of those who vote upon the question. If assent to the change is given by each of the various districts voting, each voting separately, the boundaries are changed from that date.

3. If one of the districts votes against the change and the other votes for the change, the matter may be appealed to the state board of education, in writing, within fifteen days of the submission of the question by either one of the districts affected, or in the above event by a majority of the signers of the petition requesting a vote on the proposal. At the first meeting of the state board following the appeal, a board of arbitration composed of three members, none of whom shall be a resident of any district affected, shall be appointed. In determining whether it is necessary to change the boundary line between seven-director districts, the board of arbitration shall base its decision upon the following:

(1) The presence of school-aged children in the affected area;

(2) The presence of actual educational harm to school-aged children, either due to a significant difference in the time involved in transporting students or educational deficiencies in the district which would have its boundary adversely affected; and

(3) The presence of an educational necessity, not of a commercial benefit to landowners or to the district benefitting for the proposed boundary adjustment.

4. If the potential receiving district obtained a score consistent with the criteria for classification of the district as "accredited" on its most recent annual performance report and the potential sending district obtained a score consistent with the criteria for classification of the district as "unaccredited" on its most recent annual performance report, the board shall approve the proposed boundary change for the educational well-being of the children enrolled in the potential sending district.

[4.] 5. Within twenty days after notification of appointment, the board of arbitration shall meet and consider the necessity for the proposed changes and shall decide whether the boundaries shall be changed as requested in the petition or be left unchanged, which decision shall be final. The decision by the board of arbitration shall be rendered not more than thirty days after the matter is referred to the board. The chairman of the board of arbitration shall transmit the decision to the secretary of each district affected who shall enter the same upon the records of his district and the boundaries shall thereafter be in accordance with the decision of the board of arbitration. The members of the board of arbitration shall be allowed a fee of fifty dollars each, to be paid at the time the appeal is made by the district taking the appeal or by the petitioners should they institute the appeal.

[5.] 6. If the board of arbitration decides that the boundaries shall be left unchanged, no new petition for the same, or substantially the same, boundary change between the same districts shall be filed until after the expiration of two years from the date of the municipal election at which the question was submitted to the voters of the districts."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough raised a point of order that **House Amendment No. 3** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Burnett offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Bill No. 112, Page 1, Section 162.431.1, Line 7, insert before the word "The" the following:

"upon approval of the Board of Education".

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh

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May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Young	Mr Speaker	

NOES: 069

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 004

Bruns	Cunningham 145	Kelly	Wasson
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Representative Burnett moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Chappelle-Nadal	Curls	Daus
Donnelly	Fares	Frame	George	Grill
Haywood	Hodges	Holsman	Hughes	Johnson
Komo	Kuessner	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Wright-Jones
Yaeger	Zimmerman			

NOES: 106

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Harris 110	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Lampe	Lembke	LeVota	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Young	Zweifel
Mr Speaker				

PRESENT: 002

Darrough Rucker

ABSENT WITH LEAVE: 003

Bruns Cunningham 145 Harris 23

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 158	Cox	Cunningham 86
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells

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Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Mr Speaker		

NOES: 067

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Sprenge	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 007

Bruns	Cooper 155	Cunningham 145	Curls	Deeken
Harris 23	Scharnhorst			

On motion of Representative Pratt, **House Amendment No. 3** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 069

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 003

Bruns Cunningham 145 Harris 23

On motion of Representative Faith, **HCS SS SB 112, as amended**, was adopted.

On motion of Representative Faith, **HCS SS SB 112, as amended**, was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson

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Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 012

Bland	Bowman	Burnett	Curls	Haywood
Holsman	Hughes	Low 39	Lowe 44	Talboy
Vogt	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 002

Bruns Cunningham 145

Speaker Pro Tem Bearden declared the bill passed.

SB 162, relating to income tax refund claims, was taken up by Representative Deeken.

Representative Cooper (120) offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Cunningham (86) offered **House Amendment No. 2**.

Representative Darrough raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Deeken, **SB 162** was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder

Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bland	Bowman	Bruns	Cunningham 145	Stevenson
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Speaker Pro Tem Bearden declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 429, as amended, relating to crime, was taken up by Representative Stream.

Representative Stream moved that the House refuse to recede from its position on **HCS SS SCS SB 429, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 299 & SS SCS SB 616, relating to liquor control, was taken up by Representative Cooper (120).

Representative Cooper (120) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, Section 311.178, Page 12, Line 56, by inserting the following after all of said line:

"311.180. 1. No person, partnership, association of persons or corporation shall manufacture, distill, blend, sell or offer for sale intoxicating liquor within this state at wholesale or retail, or solicit orders for the sale of intoxicating liquor within this state without procuring a license from the supervisor of [liquor] **alcohol and tobacco** control authorizing them so to do. For such license there shall be paid to and collected by the director of revenue annual charges as follows:

(1) For the privilege of manufacturing and brewing in this state malt liquor containing not in excess of five percent of alcohol by weight and the privilege of selling to duly licensed wholesalers and soliciting orders for the sale

of malt liquors containing not in excess of five percent of alcohol by weight, to, by or through a duly licensed wholesaler within this state, the sum of two hundred fifty dollars;

(2) For the privilege of manufacturing in this state intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight and the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight, to, by or through a duly licensed wholesaler within this state, the sum of two hundred dollars;

(3) For the privilege of manufacturing, distilling or blending intoxicating liquor of all kinds within this state and the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquor of all kinds, to, by or through a duly licensed wholesaler within this state, the sum of four hundred and fifty dollars;

(4) For the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of malt liquor containing not in excess of five percent of alcohol by weight, to, by or through a duly licensed wholesaler within this state, the sum of fifty dollars;

(5) For the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight, to, by or through a duly licensed wholesaler within this state, the sum of one hundred dollars;

(6) For the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquor of all kinds, to, by or through a duly licensed wholesaler within this state, the sum of two hundred and fifty dollars;

(7) For the privilege of selling intoxicating liquor containing not in excess of five percent of alcohol by weight by a wholesaler to a person duly licensed to sell such malt liquor at retail and the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of malt liquor containing not in excess of five percent of alcohol by weight, to, by or through a duly licensed wholesaler within this state, the sum of one hundred dollars;

(8) For the privilege of selling intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight by a wholesaler to a person duly licensed to sell such intoxicating liquor at retail and the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight, to, by or through a duly licensed wholesaler within this state, the sum of two hundred dollars;

(9) For the privilege of selling intoxicating liquor of all kinds by a wholesaler to a person duly licensed to sell such intoxicating liquor at retail and the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of intoxicating liquor of all kinds, to, by or through a duly licensed wholesaler within this state, the sum of five hundred dollars, except that a license authorizing the holder to sell to duly licensed wholesalers and to solicit orders for sale of intoxicating liquor, to, by or through a duly licensed wholesaler, shall not entitle the holder thereof to sell within the state of Missouri, direct to retailers;

(10) For the privilege of selling to duly licensed wholesalers and soliciting orders for the sale of vintage wine as defined in section 311.191, to, by, or through a duly licensed wholesaler within this state, the sum of five hundred dollars.

2. Solicitors, manufacturers and blenders of intoxicating liquor shall not be required to take out a merchant's license for the sale of their products at the place of manufacture or in quantities of not less than one gallon.

3. The provisions of this section relating to the privilege of selling malt liquor are subject to and limited by the provisions of sections 311.181 and 311.182.

4. The licenses prescribed in this section for the privilege of selling intoxicating liquor by a wholesaler to a person duly licensed to sell such intoxicating liquor at retail shall allow such wholesaler to sell intoxicating liquor to licensees licensed by the gaming commission to sell beer or alcoholic beverages pursuant to section 313.840, RSMo."; and

Further amend said substitute, Section 311.240, Page 16, Line 28, by inserting the following after all of said line:

"311.275. 1. For purposes of tax revenue control, beginning January 1, 1980, no holder of a license to solicit orders for the sale of intoxicating liquor, as defined in this chapter, within this state, other than a wholesale-solicitor, shall solicit, accept, or fill any order for any intoxicating liquor from a holder of a wholesaler's license issued under this chapter, unless the holder of such solicitor's license has registered with the division of [liquor] **alcohol and tobacco** control as the primary American source of supply for the brand of intoxicating liquor sold or sought to be sold. The supervisor of [liquor] **alcohol and tobacco** control shall provide forms for annual registration as the primary American source of supply, and shall prescribe the procedures for such registration.

2. Beginning January 1, 1980, no holder of a wholesaler's license issued under this chapter shall order, purchase or receive any intoxicating liquor from any solicitor, other than a wholesale-solicitor, unless the solicitor has registered with the division of [liquor] **alcohol and tobacco control** as the primary American source of supply for the brand of intoxicating liquor ordered, purchased or received.

3. The term "primary American source of supply" as used herein shall mean the distiller, producer, the owner of the commodity at the time it became a marketable product, the bottler, or the exclusive agent of any such distiller, producer, bottler or owner, the basic requirement being that the nonresident seller be the first source closest to the manufacturer in the channel of commerce from whom the product can be secured by American wholesalers.

4. Any vintage wine solicitor licensed under section 311.180 may register as the primary American source of supply for vintage wine with the division of alcohol and tobacco control, provided that another solicitor is not registered as the primary American source of supply for the vintage wine and the vintage wine has been approved for sale by the federal Alcohol and Tobacco Tax and Trade Bureau."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, Section 311.071, Page 11, Line 15, by inserting the following after all of said line:

"311.174. 1. Any person possessing the qualifications and meeting the requirements of this chapter who is licensed to sell intoxicating liquor by the drink at retail for consumption on the premises in a city with a population of at least four thousand inhabitants which borders the Missouri River and also borders a city with a population of over three hundred thousand inhabitants located in at least three counties, in a city with a population of over three hundred thousand which is located in whole or in part within a first class county having a charter form of government or in a first class county having a charter form of government which contains all or part of a city with a population of over three hundred thousand inhabitants, may apply to the supervisor of liquor control for a special permit to remain open on each day of the week until 3:00 a.m. of the morning of the following day; **except that, an entity exempt from federal income taxes under Section 501(c)(7) of the Internal Revenue Code of 1986, as amended, and located in a building designated as an National Historic Landmark by the United States Department of the Interior may apply for a license to remain open until 6:00 a.m. of the following day.** The time of opening on Sunday may be 11:00 a.m. The provisions of this section and not those of section 311.097 regarding the time of closing shall apply to the sale of intoxicating liquor by the drink at retail for consumption on the premises on Sunday. When the premises of such an applicant is located in a city as defined in this section, then the premises must be located in an area which has been designated as a convention trade area by the governing body of the city. When the premises of such an applicant is located in a county as defined in this section, then the premises must be located in an area which has been designated as a convention trade area by the governing body of the county.

2. An applicant granted a special permit under this section shall, in addition to all other fees required by this chapter pay an additional fee of three hundred dollars a year payable at the time and in the same manner as its other license fees.

3. The provisions of this section allowing for extended hours of business shall not apply in any incorporated area wholly located in any first class county having a charter form of government which contains all or part of a city with a population of over three hundred thousand inhabitants until the governing body of such incorporated area shall have by ordinance or order adopted the extended hours authorized by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley assumed the Chair.

On motion of Representative Talboy, **House Amendment No. 2** was adopted.

HCS SCS SB 299 & SS SCS SB 616, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Tilley.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3731 through House Resolution No. 3765

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 215**, entitled:

An act to repeal sections 167.031, 211.021, 211.033, 211.034, 211.041, 211.061, 211.071, 211.091, 211.101, and 211.161, RSMo, and to enact in lieu thereof nine new sections relating to juvenile courts, with penalty provisions.

With Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended.

*Senate Amendment No. 1
to
Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to Senate Committee Substitute for House Bill No. 215, Page 1, Lines 7-8, by striking "unless such person has" and inserting in lieu thereof the following:

"alleged to have".

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 215, Page 11, Section 211.161, Line 19, by inserting immediately after said line the following:

"Section 1. The office of the state courts administrator shall conduct a study and report to the general assembly by June 30, 2008, on the impact of changing the definition of "child", as used in section 211.021, RSMo, to include any person over seventeen years but not yet eighteen years of age unless such person has committed a status offense as defined in subdivision (2) of subsection 1 of section 211.031, RSMo. The report shall contain information regarding the impact on caseloads of juvenile officers, including the average increase in caseload per juvenile officer for each judicial circuit, and the number of children affected by the change in definition."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HB 744, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS HB 744, as amended**: Senators Stouffer, Rupp, Engler, Days and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 801**, entitled:

An act to repeal sections 392.410, 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof nine new sections relating to telecommunications.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 308, as amended**: Senators Crowell, Ridgeway, Shields, Kennedy and Wilson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 429, as amended**: Senators Gibbons, Goodman, Bartle, Justus and Callahan.

THIRD READING OF SENATE BILLS

HCS#2 SCS SB 313, relating to consumer protection, was taken up by Representative Sutherland.

Representative Cooper (120) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 1, In the Title, Line 3, by inserting after "RSMo," the following:

"and sections 388.700, 388.703, 388.706, 388.709, 388.712, 388.715, 388.718, 388.721, 388.724, 388.727, 388.730, 388.733, 388.736, 388.739, 388.742, and 388.745 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after "RSMo," the following:

"and sections 388.700, 388.703, 388.706, 388.709, 388.712, 388.715, 388.718, 388.721, 388.724, 388.727, 388.730, 388.733, 388.736, 388.739, 388.742, and 388.745 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 9, Section 1, Line 15, by inserting after all of said line the following:

"[388.700. Sections 388.700 to 388.745 shall be known as "The Regional Railroad Authorities Act." As used in sections 388.700 to 388.745, unless the context clearly requires otherwise, the following words and terms shall mean:

(1) "Authority", "railroad authority", or "regional railroad authority", a regional railroad authority organized and operated as a political subdivision under sections 388.700 to 388.745;

- (2) "Common carrier", a railroad engaged in transportation for hire;
- (3) "Commissioners", the commissioners of the regional railroad authority;
- (4) "Project", any railroad facilities proposed to be acquired, constructed, improved, or refinanced by an authority, including any real or personal property, structures, machinery, equipment, and appurtenances determined by the authority to be useful or convenient for railroad operations and handling passengers or freight;
- (5) "Railroad", any form of nonhighway ground transportation that runs on rails or electromagnetic guideways. The term "railroad" shall also have the meaning associated to it in 49 U.S.C. Section 20102, as amended;
- (6) "Railroad properties and facilities", any real or personal property or interest in such property which is owned, leased or otherwise controlled by a railroad or other person, including an authority, and which are used or are useful in rail transportation service, including:
 - (a) Track, roadbed and related structures, including rail, ties, ballast, other track materials, grading, tunnels, bridges, tressels, culverts, elevated structures, stations, office buildings used for operating purposes only, repair shops, engine houses and public improvements used or usable for rail service operation;
 - (b) Communication and power transmission systems for use by railroads;
 - (c) Signals, including signals and interlockers;
 - (d) Terminal or yard facilities and services to express company and railroads and their shippers, including ferries, tugs, car floats and related shoreside facilities designed for the transportation of equipment by water;
 - (e) Shop or repair facilities or any other property used or capable of being used in rail freight transportation services or in connection with such services or for originating, terminating, improving and expediting the movement of equipment or goods;
- (6) "Real property", lands, structures, improvements thereof, and water and riparian rights, and any and all interests and estates therein, legal or equitable, including but not limited to easements, rights-of-way, uses, leases, and licenses.]

[388.703. The purpose of an authority established and operated under sections 388.700 to 388.745 is to provide for the preservation, improvement, and the continuation of rail service for agriculture, industry, or passenger traffic and to provide for the preservation of railroad right-of-way for transportation uses, when determined to be practicable and necessary for the public welfare. The acquisition of real property under sections 388.700 to 388.745; the planning, acquisition, establishment, construction, improvement, maintenance, equipment, operation, regulation, and protection of authority facilities; and the exercise of powers granted to authorities and other public agencies to be severally or jointly exercised are public and governmental functions, exercised for public purpose, and matters of public necessity. All real property and other property acquired and used by or on behalf of an authority or other public agency, as provided in sections 388.700 to 388.745, shall be used for public and governmental purposes and as a matter of public necessity.]

[388.706. 1. Every municipality or county within this state is authorized to form a regional railroad authority under the provisions of this section.

2. A regional railroad authority may be organized by resolution or joint resolution adopted by the governing body or bodies of one or more counties. The governing body or bodies of a municipality or municipalities within a county or counties may request by resolution that the county or counties organize a railroad authority. If the county or counties do not organize an authority within ninety days of receipt of the request, the municipality or municipalities may organize an authority by resolution or joint resolution. A resolution organizing an authority shall state:

- (1) That the authority is organized under the provisions of sections 388.700 to 388.745 as a political subdivision of Missouri;
- (2) The proposed name of the authority, including the words "regional railroad authority";

- (3) The county, counties, municipality or municipalities adopting the organization resolution;
- (4) The number of commissioners of the authority, not less than five; the number to be appointed by the governing body of each county or municipality; and the names and addresses of the board of commissioners;
- (5) The city and county in which the registered office of the authority is to be situated;
- (6) That neither the state of Missouri, the municipality or municipalities, nor any other political subdivision is liable for obligations of the authority; and
- (7) Any other provision for regulating the business of the authority determined by the governing body or bodies adopting the resolution.]

[388.709. Before final adoption of an organization resolution, the governing body of each county or municipality named in it shall provide for a public hearing upon notice published in a newspaper of general circulation in the county or municipality. The notice of a hearing by the governing body of a county shall be mailed to the governing body of each municipality in the county, except municipalities participating in the organization, at least thirty days before the hearing. The hearing may be adjourned from time to time, to a time and place publicly announced at the hearing, or to a time and place fixed by notice published in a newspaper of general circulation in the county or municipality at least ten days before the adjourned session. Joint hearing sessions may be held by the governing bodies of all counties or municipalities named, at any convenient public place within any of the counties or municipalities. The resolution may be amended by the governing body or bodies at or after any hearing session at which the amended resolution is proposed and made available to interested citizens. It shall not become effective until adopted in identical form by the governing bodies of all counties or municipalities named in the resolution.]

[388.712. Upon the appointment and qualification of the commissioners first appointed to a regional railroad authority under section 388.715, the commissioners shall submit to the secretary of state a certified copy of each resolution adopted pursuant to section 388.706. A copy of the organization resolution, certified by the recording officer of each municipality or county adopting it, shall be filed with the secretary of state, who shall issue a certificate of incorporation if the resolution conforms to the requirements of this section, stating in the certificate the name of the authority and the date of its incorporation, which shall be the date of acceptance for filing. The certificate of incorporation shall be conclusive evidence of the valid organization and existence of the authority.]

[388.715. 1. All powers granted to an authority shall be exercised by its board of commissioners. Commissioners shall be appointed and vacancies in their office shall be filled by the governing body of each county or municipality named in the organization resolution, in accordance with the provisions of that resolution. The term of each commissioner shall be one year, or the remainder of the one year term for which a vacancy is filled, and until a successor is appointed. Commissioners shall receive no compensation for services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

2. The board of commissioners shall by resolution establish the time and place or places of its regular meetings and the method and notice required for calling special meetings, all of which shall be open to the public. A majority of the commissioners being present at a meeting, any action may be taken by resolution or motion adopted by recorded vote of a majority of those present, unless a larger majority is required by bylaws adopted by the board.

3. The board of commissioners shall appoint a chair, vice-chair, secretary, and treasurer from its members, each to serve for a term of one year and until a successor is appointed. The offices of secretary and treasurer may be combined, and deputies or assistants may be appointed for either office or the combined office, from members of the board or otherwise. The powers and duties of each office shall be determined by the board, which shall require and pay for a surety bond for each officer handling funds. The board shall provide for

the keeping of a full and accurate record of all proceedings and of resolutions, regulations, and orders issued or adopted. The state auditor shall annually audit the books of said regional railroad authority.]

[388.718. An authority may exercise all the powers necessary or desirable to implement the powers specifically granted in sections 388.700 to 388.745, and in exercising the powers is deemed to be performing an essential governmental as a political subdivision of the state. Without limiting the generality of the foregoing, the authority may:

(1) Sue and be sued, have a seal, and have perpetual succession;
 (2) Execute contracts and other instruments and take other action as may be necessary to carry out the purposes of sections 388.700 to 388.745;

(3) Receive and disburse federal, state, and other funds, public or private, made available by grant, loan, contribution, tax levy, or other source to accomplish the purposes of sections 388.700 to 388.745. Federal money accepted under this section shall be accepted and spent by the authority upon terms and conditions prescribed by the United States and consistent with state law. All state money accepted under this section shall be accepted and spent by the authority upon terms and conditions prescribed by the state.

(4) Sell, lease, or otherwise dispose of real or personal property acquired under sections 388.700 to 388.745. The disposal must be in accordance with the laws of this state governing the disposition of other public property.]

[388.721. 1. The authority may plan, establish, acquire, develop, construct, purchase, enlarge, extend, improve, maintain, equip, operate, regulate, and protect railroads, railroad properties and railroad facilities within its boundaries, including but not limited to terminal buildings, roadways, crossings, bridges, causeways, tunnels, equipment, and rolling stock.

2. The authority may apply to any public agency for permits, consents, authorizations, and approvals required for any project and take all actions necessary to comply with their conditions.]

[388.724. The authority may exercise the power of eminent domain under chapter 523, RSMo, except that it shall have no power of eminent domain with respect to property owned by another authority or political subdivision of Missouri or any other state, or with respect to property owned or used by a railroad corporation unless the federal Surface Transportation Board or a successor agency, if any, or another authority with power to make the finding, has found that the public convenience and necessity permit discontinuance of rail service on the property. All property taken for the exercise of the powers granted herein is declared to be taken for a public governmental purpose and as a matter of public necessity.]

[388.727. The state of Missouri and any political subdivision or municipal corporation thereof may in its discretion, with or without consideration, transfer or cause to be transferred to any regional railroad authority or may place in its possession or control, by lease or other contract or agreement, either for a limited period or in fee, any property within a regional railroad authority district or any property wherever situated. Nothing in this section, however, shall in any way impair, alter or change any obligations, contractual or otherwise, heretofore entered into by said entities.]

[388.730. The authority may establish charges and rentals for the use, sale, and availability of its property and service and may hold, use, dispose of, invest, and reinvest the income, revenues, and funds derived therefrom. Subject to any agreement with bondholders, it may invest money not required for immediate use, including bond proceeds, in the securities it shall deem prudent, notwithstanding the provisions of any other law relating to the investment of public funds.]

[388.733. The authority shall be subject to tort liability to the extent provided in chapter 537, RSMo, and may procure insurance against the liability, and may indemnify and purchase and maintain insurance on behalf of any of its commissioners, officers, employees, or agents. It may also procure insurance against loss of or damage to property in the amounts, by reason of the risks, and from the insurers as it deems prudent.]

[388.736. The state may make grants to a regional railroad authority, as appropriated by the general assembly, to be allocated by the department of transportation to regional railroad authorities. The authority may accept, contract for, and receive and disburse federal, state, and other funds or property, public or private, made available by grant, loan, or lease, to be used in the exercise of any of its powers, and may comply with the terms and conditions of the grant or loan.]

[388.739. 1. Every regional railroad authority, organized under the provisions of sections 388.700 to 388.745, may from time to time issue its negotiable revenue bonds or notes in such principal amounts as, in its opinion, shall be necessary to provide sufficient funds for achieving its purposes, including the construction, establishment, acquisition, improvement, maintenance, protection and regulation of railroads and railroad facilities, that may be necessary to carry out the provisions of sections 388.700 to 388.745.

2. The state shall not be liable on any notes or bonds of any regional railroad authority. Any such notes or bonds shall not be a debt of the state and shall contain on the faces thereof a statement to such effect.

3. No commissioner of any regional railroad authority or any authorized person executing authority notes or bonds shall be liable personally on said notes or bonds or shall be subject to any personal liability or accountability by reason of the issuance thereof.

4. No authority shall be required to pay any taxes or any assessments whatsoever to this state or to any political subdivisions, municipality or other governmental agency of this state. The notes and bonds of every authority and the income therefrom shall, at all times, be exempt from any taxes and any assessments, except for death and gift taxes and taxes on transfers.

5. Every authority shall have the powers and be governed by the procedures now or hereafter conferred upon or applicable to the environmental improvement authority, chapter 260, RSMo, relating to the manner of issuance of revenue bonds and notes, and the port authority shall exercise all such powers and adhere to all such procedures insofar as they are consistent with the necessary and proper undertaking of its purposes.]

[388.742. The authority may enter into contracts including leases with any person, firm, or corporation, for terms the authority may determine:

(1) Providing for the operation of any facilities on behalf of the authority, at the rate of compensation as may be determined;

(2) Leasing a rail line for operation by the lessee or any facility or space therein for other commercial purposes, at rentals as may be determined, but no person may be authorized to operate a rail line other than as a common carrier;

(3) Granting the privilege, for compensation as the authority shall determine, of supplying goods, commodities, services, or facilities along rail lines or in or upon other property; and

(4) Making available services furnished by the authority or its agents, at charges, rentals, or fees which shall be reasonable and uniform for the same class of privilege or service.]

[388.745. If, at any time, the governing body of any city or county that organized a regional railroad authority, votes, by majority, to dissolve a regional railroad authority, it shall be dissolved effective the date of the approval of dissolution by the highways and transportation commission of the state. In the event of dissolution of a regional railroad authority, all funds and other assets shall be distributed among the cities and counties, who were members, on a pro rata basis.]" ; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted.

Representative Dixon assumed the Chair.

Representative Tilley offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Line 3 of the Title, by inserting after "RSMo," the following:

"and section 1 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after "RSMo," the following:

"and section 1 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Page 12, Section 700.470, Line 11, by inserting after said line the following:

"[Section 1. No person, firm, limited liability company, or corporation shall purchase more than twenty tickets at one time, except that any ticket issuer may allow the purchaser of any amount of tickets through a group sales office.];" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Donnelly raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Dixon requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Richard offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 1, Line 15, by inserting after the word, "**office**]" the following:

"Section B. The repeal of section 1 of section A of this act shall not become effective unless the truly agreed and finally passed Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 327, Ninety-fourth General Assembly, First Regular Session is approved by the Governor and delivered to the Secretary of State."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 1 to House Amendment No. 2** goes beyond the scope of the underlying amendment.

Representative Dixon requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Richard, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Tilley, **House Amendment No. 2, as amended**, was adopted.

Representative Bringer offered **House Amendment No. 3**.

Representative Pratt raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Dixon requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS#2 SCS SB 313, as amended, was laid over.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SS SCS SB 429: Representatives Bruns, Cox, Stream, Nasheed and Roorda

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SCS HB 41** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HB 41** was delivered to the Governor by the Chief Clerk of the House.

THIRD READING OF SENATE BILL

HCS SB 582, relating to taxation, was taken up by Representative Sutherland.

Representative Bearden offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 582, Page 1, In the Title, Line 8, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend said bill, Page 2, Section A, Line 6, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend said bill, Page 29, Section 94.660, Line 65, by inserting after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall

disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for any county with a charter form of government and with more than one million inhabitants, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. **Effective January 1, 2008, if, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill, Page 78, Section 1, Line 4, by inserting after all of said line the following:

"[99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the

amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be

appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) In a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for a first class county with a charter form of government having a population of more than nine hundred thousand, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, three such members appointed either by the county executive or county commissioner, and six such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) When any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.]

[99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or

comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bearden, **House Amendment No. 1** was adopted.

Representative Sutherland offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 582, Section 67.1360, Page 8, Lines 92 and 93, by deleting all of said lines and inserting in lieu thereof the following:

"attendance for school year 2006 between one thousand nine hundred and two thousand;"; and

Further amend said bill, Section 135.010, Pages 29 to 31, by deleting all of said section; and

Further amend said bill, Section 135.030, Page 32, Lines 9 to 15, by deleting all of said lines and inserting in lieu thereof the following:

"shall be the sum of twenty-seven thousand five hundred dollars."; and

Further amend said bill, section, and page, Lines 28 to 33, by deleting all of said lines and inserting in lieu thereof the following:

"fourteen thousand three hundred dollars."; and

Further amend said bill, Section 137.106, Pages 36 to 43, by removing all of said section from the bill; and

Further amend said bill, Section 144.055, Page 71, Line 8, by inserting after the word, "RSMo" the following:

", and such transaction is certified for sales tax exemption by the department of economic development"; and

Further amend said bill, Section 320.093, Page 77, Line 40, by deleting the number, "**2011**" and inserting in lieu thereof the number, "**2010**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 2** was adopted.

Representative Sutherland offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 582, Section 135.090, Page 34, Line 38, by inserting after all of said section, the following:

"135.327. 1. As used in this section, the following terms shall mean:

(1) "CASA", an entity which receives funding from the court-appointed special advocate fund established under section 476.777, RSMo, **including an association based in this state, affiliated with a national association, organized to provide support to entities receiving funding from the court appointed special advocate fund;**

(2) "Child advocacy centers", the regional child assessment centers listed in subsection 2 of section 210.001, RSMo;

(3) "Contribution", amount of donation to qualified agency;

(4) "Crisis care center", **entities contracted with this state which provide** temporary care for children whose age ranges from birth through seventeen years of age whose parents or guardian are experiencing an unexpected and unstable or serious condition that requires immediate action resulting in short term care, usually three to five continuous, uninterrupted days, for children who may be at risk for child abuse, neglect, or in an emergency situation;

(5) "Department", the department of revenue;

(6) "Director", the director of the department of revenue;

(7) "Qualified agency", CASA, child advocacy centers, or a crisis care center;

(8) "Tax liability", the tax due under chapter 143, RSMo, other than taxes withheld under sections 143.191 to 143.265, RSMo.

2. Any person residing in this state who legally adopts a special needs child on or after January 1, 1988, and before January 1, 2000, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to taxes due under chapter 143, RSMo. Any business entity providing funds to an employee to enable that employee to legally adopt a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.

3. Any person residing in this state who proceeds in good faith with the adoption of a special needs child on or after January 1, 2000, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes due under chapter 143, RSMo; provided, however, that beginning on or after July 1, 2004, two million dollars of the tax credits allowed shall be allocated for the adoption of special needs children who are residents or wards of residents of this state at the time the adoption is initiated. Any business entity providing funds to an employee to enable that employee to proceed in good faith with the adoption of a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each

child that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.

4. Individuals and business entities may claim a tax credit for their total nonrecurring adoption expenses in each year that the expenses are incurred. A claim for fifty percent of the credit shall be allowed when the child is placed in the home. A claim for the remaining fifty percent shall be allowed when the adoption is final. The total of these tax credits shall not exceed the maximum limit of ten thousand dollars per child. The cumulative amount of tax credits which may be claimed by taxpayers claiming the credit for nonrecurring adoption expenses in any one fiscal year prior to July 1, 2004, shall not exceed two million dollars. The cumulative amount of tax credits that may be claimed by taxpayers claiming the credit for nonrecurring adoption expenses shall not be [less] **more** than four million dollars but may be increased by appropriation in any [one] fiscal year beginning on or after July 1, 2004; provided, however, that by December thirty-first following each July, if less than two million dollars in credits have been issued for adoption of special needs children who are not residents or wards of residents of this state at the time the adoption is initiated, the remaining amount of the cap shall be available for the adoption of special needs children who are residents or wards of residents of this state at the time the adoption is initiated. For all fiscal years beginning on or after July 1, 2006, applications to claim the adoption tax credit for special needs children who are residents or wards of residents of this state at the time the adoption is initiated shall be filed between July first and April fifteenth of each fiscal year. For all fiscal years beginning on or after July 1, 2006, applications to claim the adoption tax credit for special needs children who are not residents or wards of residents of this state at the time the adoption is initiated shall be filed between July first and December thirty-first of each fiscal year.

5. Notwithstanding any provision of law to the contrary, any individual or business entity may assign, transfer or sell tax credits allowed in this section. Any sale of tax credits claimed pursuant to this section shall be at a discount rate of seventy-five percent or greater of the amount sold.

6. The director of revenue shall establish a procedure by which, for each fiscal year, the cumulative amount of tax credits authorized in this section is equally apportioned among all taxpayers within the two categories specified in subsection 3 of this section claiming the credit in that fiscal year. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers within each category can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

7. For all tax years beginning on or after January 1, 2006, a tax credit may be claimed in an amount equal to up to fifty percent of a verified contribution to a qualified agency and shall be named the children in crisis tax credit. The minimum amount of any tax credit issued shall not be less than fifty dollars and shall be applied to taxes due under chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo. A contribution verification shall be issued to the taxpayer by the agency receiving the contribution. Such contribution verification shall include the taxpayer's name, Social Security number, amount of tax credit, amount of contribution, the name and address of the agency receiving the credit, and the date the contribution was made. The tax credit provided under this subsection shall be initially filed [in] **for** the year in which the verified contribution is made.

8. The cumulative amount of the tax credits redeemed shall not exceed the unclaimed portion of the resident adoption category allocation as described in this section. The director of revenue shall determine the unclaimed portion available. The amount available shall be equally divided among the [agencies meeting the definition of qualified agency] **three qualified agencies: CASA, child advocacy centers, or crisis care centers** to be used towards tax credits issued. In the event tax credits claimed under one agency do not total the allocated amount for that agency, the unused portion for that agency will be made available to the remaining agencies [as needed] **equally**. In the event the total amount of tax credits claimed **for any one agency** exceeds the amount available **for that agency**, the amount redeemed shall and will be apportioned equally to all eligible taxpayers claiming the credit **under that agency**. After all children in crisis tax credits have been claimed, any remaining unclaimed portion of the reserved allocation for adoptions of special needs children who are residents or wards of residents of this state shall then be made available for adoption tax credit claims of special needs children who are not residents or wards of residents of this state at the time the adoption is initiated.

9. Prior to December thirty-first of each year, the entities listed under the definition of qualified agency shall apply to the department of social services in order to verify their qualified agency status. Upon a determination that the agency is eligible to be a qualified agency, the department of social services shall provide a letter of eligibility to such agency. No later than February first of each year, the department of social services shall provide a list of qualified agencies to the department of revenue. All tax credit applications to claim the children in crisis tax credit shall be filed between July first and April fifteenth of each fiscal year. A taxpayer shall apply for the children in crisis tax credit by attaching a copy of the contribution verification provided by a qualified agency to such taxpayer's income tax return.

10. The tax credits provided under this section shall be subject to the provisions of section 135.333.

11. (1) In the event a credit denial, due to lack of available funds, causes a balance-due notice to be generated by the department of revenue, or any other redeeming agency, the taxpayer will not be held liable for any penalty or interest, provided the balance is paid, or approved payment arrangements have been made, within sixty days from the notice of denial.

(2) In the event the balance is not paid within sixty days from the notice of denial, the remaining balance shall be due and payable under the provisions of chapter 143, RSMo.

12. The director shall calculate the level of appropriation necessary to issue all tax credits for nonresident special needs adoptions applied for under this section and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the division of budget and planning in the office of administration by January thirty-first of each year.

13. The department may promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

14. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under subsections 7 to 12 of this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill, Section 135.610, Page 36, Line 66, by inserting after all of said section, the following:

"135.1150. 1. This section shall be known and may be cited as the "Residential Treatment Agency Tax Credit Act".

2. As used in this section, the following terms mean:

(1) "Certificate", a tax credit certificate issued under this section;

(2) "Department", the Missouri department of social services;

(3) "Eligible [monetary] donation", donations received from a taxpayer by an agency that are used solely to provide direct care services to children who are residents of this state. **Eligible donations may include cash, publicly traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department of social services.** For purposes of this section, "direct care services" include but are not limited to increasing the quality of care and service for children through improved employee compensation and training;

(4) "Qualified residential treatment agency" or "agency", a residential care facility that is licensed under section 210.484, RSMo, accredited by the Council on Accreditation (COA), the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), or the Commission on Accreditation of Rehabilitation Facilities (CARF), and is under contract with the Missouri department of social services to provide treatment services for children who are residents or wards of residents of this state, and that receives eligible [monetary] donations. Any agency that operates more than one facility or at more than one location shall be eligible for the tax credit under this section only for any eligible [monetary donations] **donation** made to facilities or locations of the agency which are licensed and accredited;

(5) "Taxpayer", any of the following individuals or entities who make **an** eligible [monetary donations] **donation** to an agency:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143, RSMo;

(b) A corporation subject to the annual corporation franchise tax imposed in chapter 147, RSMo;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148, RSMo;

(e) An individual subject to the state income tax imposed in chapter 143, RSMo.

3. For all taxable years beginning on or after January 1, 2007, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 147, 148, or 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, in an amount equal to fifty percent of the amount of an eligible [monetary] donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

4. To claim the credit authorized in this section, an agency may submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the agency has submitted the following items accurately and completely:

- (1) A valid application in the form and format required by the department;
- (2) A statement attesting to the eligible [monetary] donation received, which shall include the name and taxpayer identification number of the individual making the eligible [monetary] donation, the amount of the eligible [monetary] donation, and the date the eligible [monetary] donation was received by the agency; and
- (3) Payment from the agency equal to the value of the tax credit for which application is made.

If the agency applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

5. An agency may apply for tax credits in an aggregate amount that does not exceed forty percent of the payments made by the department to the agency in the preceding twelve months.

6. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit.

7. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

8. Under section 23.253, RSMo, of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

Section B. Because immediate action is necessary to ensure the appropriate allocation of the tax credits under the children in crisis tax credit program, the repeal and reenactment of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 3** was adopted.

Representative Cooper (120) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 582, Page 1, In the Title, Line 8, by inserting after "RSMo" the following:

"and sections 143.006, 144.054, 144.605, 147.010, and 620.1878 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Section A, Page 2, Line 6, by inserting after "RSMo" the following:

"and sections 143.006, 144.054, 144.605, 147.010, and 620.1878 as truly agreed and finally passed in Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 327, Ninety-fourth General Assembly, First Regular Session,"; and

Further amend said bill, Section 320.093, Page 78, Line 51, by inserting after all of said line the following:

"[620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

(1) **"Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;**

(2) "Average wage", the new payroll divided by the number of new jobs;

[(2)] (3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the [proposal] **approval;**

[(3)] (4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county **for the purpose of determining eligibility.** The department shall publish the county average wage for each county at least annually. **Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**

[(4)] (5) "Department", the Missouri department of economic development;

[(5)] (6) "Director", the director of the department of economic development;

[(6)] (7) "Employee", a person employed by a qualified company **on a full-time basis, who receives an annual salary equal to or less than the average salary for the county in which the employee is employed or deemed to be employed;**

[(7) "Full-time equivalent employees", employees of the qualified company converted to reflect an equivalent of the number of full-time, year-round employees. The method for converting part-time and seasonal employees into an equivalent number of full-time, year-round employees shall be published in a rule promulgated by the department as authorized in section 620.1884;]

(8) "Full-time[, year-round] employee", an employee of the **qualified** company that [works] **is scheduled to work** an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

(11) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(12) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, **excluding local earnings tax**, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(13) "New investment", the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;

(14) "New job", the number of full-time[, year-round] employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time [equivalent] employees at related facilities below the related facility base employment. **No job that was created prior to the date of the notice of intent shall be deemed a new job;**

(15) "New payroll", [the amount of wages paid by a qualified company to employees in new jobs] **the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;**

(16) "Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;

(17) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

(18) "Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

(19) "Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within one mile of each other such that their purpose and operations are interrelated;

(20) "Project facility base employment", **the greater of the number of full-time employees located at the project facility on the date the notice of intent or** for the twelve-month period prior to the date of the [proposal] **notice of intent**, the average number of full-time [equivalent] employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, [project facility base employment is] the average number of full-time [equivalent] employees for the number of months the project facility has been in operation prior to the date of the [proposal] **notice of intent;**

(21) **"Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;**

(22) "Project period", the time period that the benefits are provided to a qualified company;

[(22) "Proposal", a document submitted by the department to the qualified company that states the benefits that may be provided by this program. The effective date of such proposal cannot be prior to the commencement of operations. The proposal shall not offer benefits regarding any jobs created prior to its effective date unless the proposal is for a job retention project;]

(23) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, **offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such**

insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45);
- (c) Food and drinking places (NAICS subsector 722);
- (d) [Utilities regulated by the Missouri public service commission] **Public utilities (NAICS 221 including water and sewer services);**
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state; [or]
- (f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection;
- (g) **Educational services (NAIC sector 61);**
- (h) **Religious organizations (NAIC industry group 8131); or**
- (i) **Public administration (NAIC sector 92).**

Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

- (24) "Related company" means:
 - (a) A corporation, partnership, trust, or association controlled by the qualified company;
 - (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
 - (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, ["control of a corporation"] shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, ["control of a partnership or association"] shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, ["control of a trust"] shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;
- (25) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;
- (26) "Related facility base employment", **the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or** for the twelve-month period prior to the date of the [proposal] **notice of intent**, the average number of full-time [equivalent] employees located at all related facilities of the qualified company or a related company located in this state;
- (27) **"Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;**
- (28) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;
- [(28)] (29) "Small and expanding business project", a qualified company that within two years of the date of the [proposal] **approval** creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty new jobs if the project facility is not located

in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(29)] **(30)** "Tax credits", tax credits issued by the department to offset the state income taxes imposed by [chapter] **chapters 143 and 148**, RSMo, or which may be sold or refunded as provided for in this program;

[(30)] **(31)** "Technology business project", a qualified company that within two years of the date of the [proposal] **approval** creates a minimum of ten new jobs [with at least seventy-five percent of the new jobs directly] involved in the operations of a technology company as determined by a regulation promulgated by the department under the provisions of section 620.1884 [and] **or classified by NAICS codes; or which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices;**

[(31)] **(32)** "Withholding tax", the state tax imposed by sections 143.191 to 143.265, RSMo. **For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.]**

620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

(1) **"Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;**

(2) "Average wage", the new payroll divided by the number of new jobs;

[(2)] **(3)** "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the [proposal] **approval;**

[(3)] **(4)** "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county **for the purpose of determining eligibility.** The department shall publish the county average wage for each county at least annually. **Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;**

[(4)] **(5)** "Department", the Missouri department of economic development;

[(5)] **(6)** "Director", the director of the department of economic development;

[(6)] **(7)** "Employee", a person employed by a qualified company;

[(7)] "Full-time equivalent employees", employees of the qualified company converted to reflect an equivalent of the number of full-time, year-round employees. The method for converting part-time and seasonal employees into an equivalent number of full-time, year-round employees shall be published in a rule promulgated by the department as authorized in section 620.1884;]

(8) "Full-time[, year-round] employee", an employee of the **qualified** company that [works] **is scheduled to work** an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

(11) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(12) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, **excluding local earnings tax**, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(13) "New investment", the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;

(14) "New job", the number of full-time[, year-round] employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time [equivalent] employees at related facilities below the related facility base employment. **No job that was created prior to the date of the notice of intent shall be deemed a new job;**

(15) "New payroll", [the amount of wages paid by a qualified company to employees in new jobs] **the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;**

(16) "Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;

(17) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

(18) "Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

(19) "Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within one mile of each other such that their purpose and operations are interrelated;

(20) "Project facility base employment", **the greater of the number of full-time employees located at the project facility on the date the notice of intent or** for the twelve-month period prior to the date of the [proposal] **notice of intent**, the average number of full-time [equivalent] employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, [project facility base employment is] the average number of full-time [equivalent] employees for the number of months the project facility has been in operation prior to the date of the [proposal] **notice of intent;**

(21) **"Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;**

(22) "Project period", the time period that the benefits are provided to a qualified company;

[(22) "Proposal", a document submitted by the department to the qualified company that states the benefits that may be provided by this program. The effective date of such proposal cannot be prior to the commencement of operations. The proposal shall not offer benefits regarding any jobs created prior to its effective date unless the proposal is for a job retention project;]

(23) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, **offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums.** For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45);
- (c) Food and drinking places (NAICS subsector 722);
- (d) [Utilities regulated by the Missouri public service commission] **Public utilities (NAICS 221 including water and sewer services);**
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state; [or]
- (f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection;
- (g) **Educational services (NAIC sector 61);**
- (h) **Religious organizations (NAIC industry group 8131); or**
- (i) **Public administration (NAIC sector 92).**

Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

(24) "Related company" means:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
- (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, ["control of a corporation"] shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, ["control of a partnership or association"] shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, ["control of a trust"] shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

(26) "Related facility base employment", **the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or** for the twelve-month period prior to the date of the [proposal] **notice of intent**, the average number of full-time [equivalent] employees located at all related facilities of the qualified company or a related company located in this state;

(27) **"Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;**

(28) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(28)] (29) "Small and expanding business project", a qualified company that within two years of the date of the [proposal] **approval** creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(29)] (30) "Tax credits", tax credits issued by the department to offset the state income taxes imposed by [chapter] **chapters 143 and 148, RSMo, or which may be sold or refunded as provided for in this program;**

[(30)] (31) "Technology business project", a qualified company that within two years of the date of the [proposal] **approval** creates a minimum of ten new jobs [with at least seventy-five percent of the new jobs directly] involved in the operations of a technology company as determined by a regulation promulgated by the department under the provisions of section 620.1884 [and] **or classified by NAICS codes; or which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices;**

[(31)] (32) "Withholding tax", the state tax imposed by sections 143.191 to 143.265, RSMo. **For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.";** and

Further amend said bill, Section 1, Page 78, Line 4, by inserting after all of said line the following:

"[143.006. Notwithstanding any other provision of this chapter to the contrary, whether a corporation or an individual has substantial nexus with this state for income tax purposes is determined without regard to whether the corporation or individual:

(1) Is a related taxpayer within the meaning of the definition found in subdivision (9) of section 135.100, RSMo, in regard to either a distribution facility in this state or a data storage facility in this state;

- (2) Utilizes such distribution facility;
- (3) Utilizes property at such distribution facility that is used at, or distributed from, that facility; or
- (4) Sells property shipped or distributed from such distribution facility.]; and

Further amend said bill, Section 144.517, Page 78, Line 73, by inserting after all of said line the following:

"[144.054. 1. As used in this section, the following terms mean:

(1) "Processing", any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) "Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, RSMo, and the local sales tax law as defined in section 32.085, RSMo, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, RSMo, and the local sales tax law as defined in section 32.085, RSMo, electrical energy and gas, whether natural, artificial, or propane, water, coal, and other utilities, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product.]

[144.605. The following words and phrases as used in sections 144.600 to 144.745 mean and include:

(1) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(2) "Engages in business activities within this state" includes:

(a) [Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax pursuant to sections 144.010 to 144.525; or

[(d)] (b) Soliciting sales or taking orders by sales agents or traveling representatives **in this state;**

(c) Notwithstanding any other provision of this chapter to the contrary, whether a person engages in business activities within this state and whether the person has substantial nexus with this state shall be determined without regard to whether the person is a related taxpayer within the meaning of the definition found in subdivision (9) of section 135.100, RSMo, in regard to either a distribution facility in this state or a data storage facility in this state, or:

a. Utilizes such distribution facility;

b. Utilizes property at such distribution facility that is used at, or distributed from, that facility; or

c. Sells property shipped or distributed from such distribution facility;

(3) "Maintains a place of business in this state" includes **directly** maintaining, occupying, or using[, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called,] an office, [place of distribution, sales or sample room or place,] warehouse or storage place, or other place of business **in this state;**

(4) "Person", any individual, firm, copartnership, joint venture, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(5) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(6) "Purchaser", any person who is the recipient for a valuable consideration of any sale of tangible personal property acquired for use, storage or consumption in this state;

(7) "Sale", any transfer, barter or exchange of the title or ownership of tangible personal property, or the right to use, store or consume the same, for a consideration paid or to be paid, and any transaction whether called leases, rentals, bailments, loans, conditional sales or otherwise, and notwithstanding that the title or possession of the property or both is retained for security. For the purpose of this law the place of delivery of the property to the purchaser, user, storer or consumer is deemed to be the place of sale, whether the delivery be by the vendor or by common carriers, private contractors, mails, express, agents, salesmen, solicitors, hawkers, representatives, consignors, peddlers, canvassers or otherwise;

(8) "Sales price", the consideration including the charges for services, except charges incident to the extension of credit, paid or given, or contracted to be paid or given, by the purchaser to the vendor for the tangible personal property, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and any amount for which credit is given to the purchaser by the vendor, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service cost, losses or any other expenses whatsoever, except that cash discounts allowed and taken on sales shall not be included and "sales price" shall not include the amount charged for property returned by customers upon rescission of the contract of sales when the entire amount charged therefor is refunded either in cash or credit or the amount charged for labor or services rendered in installing or applying the property sold, the use, storage or consumption of which is taxable pursuant to sections 144.600 to 144.745. In determining the amount of tax due pursuant to sections 144.600 to 144.745, any charge incident to the extension of credit shall be specifically exempted;

(9) "Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed pursuant to sections 144.010 to 144.525 or sections 144.600 to 144.745 and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(10) "Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(11) "Tangible personal property", all items subject to the Missouri sales tax as provided in subdivisions (1) and (3) of section 144.020;

(12) "Taxpayer", any person remitting the tax or who should remit the tax levied by sections 144.600 to 144.745;

(13) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(14) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for

persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they must be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers must be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

- (a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;
- (b) The person maintains no place of business in this state; and
- (c) The person has no selling agents in this state.]

[147.010. 1. For the transitional year defined in subsection 4 of this section and each taxable year beginning on or after January 1, 1980, but before January 1, 2000, every corporation organized pursuant to or subject to chapter 351, RSMo, or pursuant to any other law of this state shall, in addition to all other fees and taxes now required or paid, pay an annual franchise tax to the state of Missouri equal to one-twentieth of one percent of the par value of its outstanding shares and surplus if its outstanding shares and surplus exceed two hundred thousand dollars, or if the outstanding shares of such corporation or any part thereof consist of shares without par value, then, in that event, for the purpose contained in this section, such shares shall be considered as having a value of five dollars per share unless the actual value of such shares exceeds five dollars per share, in which case the tax shall be levied and collected on the actual value and the surplus if the actual value and the surplus exceed two hundred thousand dollars. If such corporation employs a part of its outstanding shares in business in another state or country, then such corporation shall pay an annual franchise tax equal to one-twentieth of one percent of its outstanding shares and surplus employed in this state if its outstanding shares and surplus employed in this state **exceed** two hundred thousand dollars, and for the purposes of sections 147.010 to 147.120, such corporation shall be deemed to have employed in this state that proportion of its entire outstanding shares and surplus that its property and assets employed in this state bears to all its property and assets wherever located. A foreign corporation engaged in business in this state, whether pursuant to a certificate of authority issued pursuant to chapter 351, RSMo, or not, shall be subject to this section. Any corporation whose outstanding shares and surplus as calculated in this subsection does not exceed two hundred thousand dollars shall state that fact on the annual report form prescribed by the secretary of state. For all taxable years beginning on or after January 1, 2000, the annual franchise tax shall be equal to one-thirtieth of one percent of the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed one million dollars. Any corporation whose outstanding shares and surplus do not exceed one million dollars shall state that fact on the annual report form prescribed by the director of revenue.

2. Sections 147.010 to 147.120 shall not apply to corporations not organized for profit, nor to corporations organized pursuant to the provisions of chapter 349, RSMo, nor to express companies, which now pay an annual tax on their gross receipts in this state, nor to insurance companies, which pay an annual tax on their premium receipts in this state, nor to state, district, county, town and farmers' mutual companies now organized or that may be hereafter organized pursuant to any of the laws of this state, organized for the sole purpose of writing fire, lightning, windstorm, tornado, cyclone, hail and plate glass and mutual automobile insurance and for the purpose of paying any loss incurred by any member by assessment, nor to any mutual insurance corporation not having shares, nor to a company or association organized to transact business of life or accident insurance on the assessment plan for the purpose of mutual protection and benefit to its members and the payment of stipulated sums of moneys to the family, heirs, executors, administrators or assigns of the deceased member, nor to foreign life, fire, accident, surety, liability, steam boiler, tornado, health, or other kind of insurance company of whatever nature coming within the provisions of section 147.050 and doing business in this state, nor to savings and loan associations and domestic and foreign regulated investment companies as defined by Section 170 of the Act of Congress commonly known as the "Revenue Act of 1942", nor to electric and telephone corporations organized pursuant to chapter 351, RSMo, and chapter 392, RSMo, prior to January 1, 1980, which have been declared tax exempt

organizations pursuant to Section 501(c) of the Internal Revenue Code of 1986, nor for taxable years beginning after December 31, 1986, to banking institutions subject to the annual franchise tax imposed by sections 148.010 to 148.110, RSMo; but bank deposits shall be considered as funds of the individual depositor left for safekeeping and shall not be considered in computing the amount of tax collectible pursuant to the provisions of sections 147.010 to 147.120.

3. A corporation's "taxable year" for purposes of sections 147.010 to 147.120 shall be its taxable year as provided in section 143.271, RSMo.

4. A corporation's "transitional year" for the purposes of sections 147.010 to 147.120 shall be its taxable year which includes parts of each of the years 1979 and 1980.

5. The franchise tax payable for a corporation's transitional year shall be computed by multiplying the amount otherwise due for that year by a fraction, the numerator of which is the number of months between January 1, 1980, and the end of the taxable year and the denominator of which is twelve. The franchise tax payable, if a corporation's taxable year is changed as provided in section 143.271, RSMo, shall be similarly computed pursuant to regulations prescribed by the director of revenue.

6. All franchise reports and franchise taxes shall be returned to the director of revenue. All checks and drafts remitted for payment of franchise taxes shall be made payable to the director of revenue.

7. Pursuant to section 32.057, RSMo, the director of revenue shall maintain the confidentiality of all franchise tax reports returned to the director.

8. The director of the department of revenue shall honor all existing agreements between taxpayers and the director of the department of revenue.

9. Notwithstanding any other provision of this chapter to the contrary, whether a corporation has substantial nexus with this state for franchise tax purposes is determined without regard to whether the corporation:

(1) Is a related taxpayer within the meaning of the definition found in subdivision (9) of section 135.100, RSMo, in regard to either a distribution facility in this state or a data storage facility in this state;

(2) Utilizes such distribution facility;

(3) Utilizes property at such distribution facility that is used at, or distributed from, that facility; or

(4) Sells property shipped or distributed from such distribution facility.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richard offered **House Amendment No. 1 to House Amendment No. 4.**

House Amendment No. 1

to

House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 582, Page 20, Line 21, by inserting after the word, "**facility.]"** the following:

"Section B. The repeal of sections 143.006, 144.054, 144.605, 147.010 and the repeal and reenactment of section 620.1878 of section A of this act shall not become effective unless the truly agreed and finally passed Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 327, Ninety-fourth General Assembly, First Regular Session is approved by the Governor and delivered to the Secretary of State."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 1 to House Amendment No. 4** goes beyond the scope of the underlying amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Richard, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Cooper (120), **House Amendment No. 4, as amended**, was adopted.

Representative Grill offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 582, Page 36, Section 135.610, Line 66, by inserting after all of said line the following:

"135.636. 1. This section shall be known and may be cited as the "Motherhood/Fatherhood Stay-at-Home Tax Credit".

2. As used in this section, the following terms mean:

(1) "Eligible child", any natural, adopted, or stepchild of a stay-at-home parent if such eligible child is between the ages of newborn to twenty-four months;

(2) "Stay-at-home parent", any married parent of an eligible child if such stay-at-home parent was gainfully employed before the birth or adoption of the eligible child or marriage to a person with an eligible child, who is no longer gainfully employed as a result of the decision to stay at home to provide care for the eligible child, and whose annual salary while the stay-at-home parent was gainfully employed was one hundred thousand dollars or less. "Stay-at-home parent" shall not include any recipient of any public assistance;

(3) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;

(4) "Taxpayer", any stay-at-home parent or such parent's spouse whose filing status is married filing combined who is subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.

3. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit for providing care for an eligible child. The tax credit amount shall be equal to twenty-five percent of the stay-at-home parent's annual salary in the year before the stay-at-home parent terminated gainful employment to become a stay-at-home parent. If the amount of the tax credit issued exceeds the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed, the difference shall not be refundable but may be carried forward to any of the taxpayer's three subsequent taxable years. No tax credit granted under this section shall be transferred, sold, or assigned. The cumulative amount of tax credits which may be issued under this section in any one fiscal year shall not exceed two million dollars.

4. The director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all taxpayers allowed a tax credit under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

5. Each stay-at-home parent claiming a tax credit under this section shall file an affidavit verifying that such parent is a stay-at-home parent, and shall provide a copy of the most recent W-2 form received before becoming a stay-at-home parent to verify the tax credit amount claimed.

6. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review,

to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

7. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grill, **House Amendment No. 5** was adopted.

Representative Harris (23) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 582, Section 141.640, Page 60, Line 9, by inserting after all of said section, the following:

"143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

(a) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(b) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (a) of subsection 3 of this section. The amount added pursuant to this paragraph shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(c) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002; and

(d) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this paragraph after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(a) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this paragraph shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this paragraph. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal

adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(b) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(c) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(d) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(e) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(f) The portion of capital gain specified in section 135.357, RSMo, that would otherwise be included in federal adjusted gross income;

(g) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(h) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which armed forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; [and]

(i) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an addition modification was made under paragraph (c) of subsection 2 of this section, the amount by which addition modification made under paragraph (c) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in paragraph (g) of this subsection;

(j) For all tax years beginning on or after January 1, 2007, the amount of any tuition the taxpayer pays for a student who has completed high school to attend any public institution of postsecondary education, including a university, college, vocational and technical school, and other postsecondary institutions, located within this state.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof." and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kingery offered **House Amendment No. 1 to House Amendment No. 6.**

House Amendment No. 1
to
House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Bill No. 582, Page 4, Section 143.121.3 (j), Line 5, by inserting after "public" the following:

"or private"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kingery, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Harris (23), **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Nasheed	Sander	Wood
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PRESENT: 002

Oxford Smith 14

ABSENT WITH LEAVE: 004

Darrough Kratky Marsh Viebrock

Representative Zweifel offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 582, Sections 135.010 and 135.030, Pages 29 to 33, by deleting all of said sections and inserting in lieu thereof the following:

"135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106, RSMo, in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then [he] **the director** shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant

actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less [two] **four** thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(6) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

(7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year.

135.030. 1. As used in this section:

(1) [The term "maximum upper limit" shall, in the calendar year 1989, be the sum of thirteen thousand five hundred dollars. For each calendar year through December 31, 1992, the maximum upper limit shall be increased by five hundred dollars per year. For calendar years after December 31, 1992, and prior to calendar year 1998, the maximum upper limit shall be the sum used on December 31, 1992.] For each calendar year after December 31, 1997, **and before calendar year 2007, the term "maximum upper limit" shall be the sum of twenty-five thousand dollars. For the calendar year beginning on January 1, 2007, the maximum upper limit shall be the sum of thirty thousand dollars, and for all subsequent calendar years such limit shall be increased in one-hundred-dollar increments on the first day of January in each year by the same percentage of increase in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics of the United States Department of Labor, or its successor index;**

(2) [The term "minimum base" shall, in the calendar year 1989, be the sum of five thousand dollars. For each succeeding calendar year through December 31, 1992, the minimum base shall be increased, in one hundred-dollar increments, by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor, or its successor agency, or five percent, whichever is greater. The increase in the index shall be that as first published by the Department of Labor for the calendar year immediately preceding the year in which the minimum base is calculated. For calendar years after December 31, 1992, and prior to calendar year 1998, the minimum base shall be the sum used on December 31, 1992.] For each calendar year after December 31, 1997, **and before calendar year 2007, the term "minimum base" shall be the sum of thirteen thousand dollars. For the calendar year beginning on January 1, 2007, the minimum base shall be the sum of eighteen thousand dollars, and for all subsequent calendar years such base shall be increased in one-hundred-dollar increments on the first day of**

January in each year by the same percentage of increase in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics of the United States Department of Labor, or its successor index.

2. When calculating the **maximum upper limit and the minimum base** for purposes of this section, whenever the increase in the Consumer Price Index used in the calculation would result in a figure which is greater than one one-hundred-dollar increment but less than another one-hundred-dollar increment, the director of revenue shall always round that figure off to the next higher one-hundred-dollar increment when determining the table of credits under this section.

3. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:

The percent is:

Not over the minimum base

0 percent with credit not to exceed actual property tax or rent equivalent paid up to \$750

Over the minimum base but not over the maximum upper limit

[1/16] **1/32** percent accumulative per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term "accumulative" means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

4. Notwithstanding [the provision of] subsection 4 of section 32.057, RSMo, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of [his or her] **the claimant's** potential eligibility, where the department determines such potential eligibility exists."; and

Further amend said bill, Section 135.610, Page 36, Line 66, by inserting after all of said line, the following:

"135.634. 1. As used in this section, the following terms mean:

(1) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;

(2) "Taxpayer", any individual subject to the tax imposed in chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo, and who is eligible for the federal earned income credit.

2. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be allowed a tax credit for income earned by the taxpayer. The tax credit amount shall be equal to twenty percent of the amount of any federal earned income credit claimed by the taxpayer in the tax year for which the tax credit is claimed. The amount of the tax credit issued shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the credit is claimed. No amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall be refundable, nor shall any tax credit granted under this section be transferred, sold, or assigned.

3. The department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

4. Under section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill, Section 141.640, Page 60, Line 9, by inserting after all of said section, the following:

"143.126. 1. As used in this section, "taxpayer" means any resident individual who is sixty-five years of age or older and whose Missouri adjusted gross income is either:

(1) Forty thousand dollars or less if the taxpayer's filing status is single, head of household, or married filing separately; or

(2) Fifty thousand dollars or less if the taxpayer's filing status is married filing combined.

2. For all taxable years beginning on or after January 1, 2007, any taxpayer shall be allowed to subtract from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income an amount equal to the amount of any Social Security benefits or Social Security disability benefits received by the taxpayer and that are included in federal adjusted gross income under Section 86 of the Internal Revenue Code of 1986, as amended.

3. The director of the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

4. Under section 23.253, RSMo, of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zweifel, **House Amendment No. 7** was adopted by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance

Nasheed	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
St. Onge	Storch	Stream	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 010

Bearden	Cooper 120	Fares	Hunter	May
Nieves	Self	Stevenson	Sutherland	Wood

PRESENT: 000

ABSENT WITH LEAVE: 008

Cooper 155	Kratky	Marsh	Meadows	Quinn 7
Roorda	Spreng	Viebrock		

Representative Nolte offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 582, Section 137.106, Page 43, Line 259, by inserting after all of said section and line the following:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final

decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this paragraph, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following [percents] **percentages** of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. [The provisions of this section and sections 137.073, 138.060 and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, shall become effective January 1, 2003, for any taxing jurisdiction within a county with a charter form of government with greater than one million inhabitants, and the provisions of this section and sections 137.073, 138.060 and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, shall become effective October 1, 2004, for all taxing jurisdictions in this state.] Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by this act, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by this act, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by this act, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing

and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 8** was adopted.

Representative Funderburk offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 582, Page 60, Section 141.640, Line 9, by inserting after all of said section the following:

"143.161. 1. For all taxable years beginning after December 31, 1997, a resident may deduct one thousand two hundred dollars for each dependent for whom such resident is entitled to a dependency exemption deduction for federal income tax purposes. In the case of a dependent who has attained sixty-five years of age on or before the last day of the taxable year, if such dependent resides in the taxpayer's home or the dependent's own home or if such dependent does not receive Medicaid or state funding while residing in a facility licensed pursuant to chapter 198, RSMo, the taxpayer may deduct an additional one thousand dollars.

2. For all taxable years beginning before January 1, 1999, a resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional eight hundred dollars. For all taxable years beginning on or after January 1, 1999, a resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional one thousand four hundred dollars.

3. For all taxable years beginning on or after January 1, 2008, for each birth for which a certificate of birth resulting in stillbirth has been issued under section 193.165, RSMo, a taxpayer may claim the exemption under subsection 1 of this section only in the taxable year in which the stillbirth occurred, if the child otherwise would have been a member of the taxpayer's household."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 9** was adopted.

Representative Munzlinger offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 582, Section 144.030, Page 71, Line 288, by inserting immediately after said line the following:

"144.051. 1. As used in this section, "machinery and equipment" means new or used farm tractors and such other new or used machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for the planting, harvesting, processing, or transporting of a forestry product, and the purchase of motor fuel, as defined in section 142.800, RSMo, therefor which is:

- (1) Used exclusively for forestry purposes;**
- (2) Used on land owned or leased for the purpose of planting, harvesting, processing, or transporting forestry products; and**
- (3) Used directly in planting, harvesting, processing, or transporting forestry products.**

2. Notwithstanding any other provision of law to the contrary, for purposes of department of revenue administrative interpretation, all machinery and equipment used solely for the planting, harvesting, processing, or transporting of a forestry product shall be considered farm machinery, and shall be exempt from state and local sales and use tax, as provided for other farm machinery in section 144.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Munzlinger, **House Amendment No. 10** was adopted.

Representative Dethrow offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 582, Section 144.030, Page 71, Line 288, by striking all of said line and inserting in lieu thereof the following:

"(41) For all tax years beginning on or after January 1, 2008 and ending on or before December 31, 2013 all sales of steel posts and wire used for fencing for agriculture purposes."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dethrow, **House Amendment No. 11** was adopted.

Representative Cunningham (86) offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 582, Section 143.431, Page 63, Line 93, by inserting after all of said section, the following:

"144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, including but not limited to motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the Internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" [as defined in subdivision (8) of section 144.010] or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental

or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to or in any place of recreation for admission and seating or as part of a contest or competition, with the exception of dues or fees paid to any health spa as defined in section 407.325, RSMo, solely for: membership; league participation; weight, nutritional, massage, or cardiological training between one or more licensed or certified trainers and one or more persons receiving such paid services, including such services and any activity, exercise, training, or therapy referred or prescribed by a physician or that is covered by health insurance.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cunningham (86), **House Amendment No. 12** was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Brown 50	Bruns	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Grill	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	LeVota
Lipke	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nieves	Nolte	Onder
Page	Parson	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Ruestman
Sander	Sater	Schaaf	Schad	Schamhorst
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Curls	Darrough	Daus
Dethrow	Donnelly	El-Amin	Frame	George
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Johnson	Komo	Kuessner	Lampe
Liese	Loehner	Low 39	Lowe 44	McClanahan
Meadows	Nance	Nasheed	Norr	Oxford
Pearce	Quinn 9	Roorda	Rucker	Ruzicka
Salva	Scavuzzo	Schieffer	Schlottach	Schneider
Schoemehl	Shively	Skaggs	Spreng	Storch

Swinger	Talboy	Todd	Villa	Vogt
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 006

Cooper 120	Funderburk	Hunter	Kratky	Marsh
Viebrock				

Representative Munzlinger offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 582, Page 78, Section 320.093, Line 51, by inserting after all of said line the following:

"393.715. 1. The general powers of a commission to the extent provided in section 393.710 to be exercised for the benefit of its contracting members shall include the power to:

(1) Plan, develop, acquire, construct, reconstruct, operate, manage, dispose of, participate in, maintain, repair, extend or improve one or more projects, either exclusively or jointly or by participation with electric cooperative associations, municipally owned or public utilities or acquire any interest in or any rights to capacity of a project, within or outside the state, and act as an agent, or designate one or more other persons participating in a project to act as its agent, in connection with the planning, acquisition, construction, operation, maintenance, repair, extension or improvement of such project;

(2) Acquire, sell, distribute and process fuels necessary to the production of electric power and energy; provided, however, the commission shall not have the power or authority to erect, own, use or maintain a transmission line which is parallel or generally parallel to another transmission line in place within a distance of two miles, which serves the same general area sought to be served by the commission unless the public service commission finds that it is not feasible to utilize the transmission line which is in place;

(3) Acquire by purchase or lease, construct, install, and operate reservoirs, pipelines, wells, check dams, pumping stations, water purification plants, and other facilities for the production, wholesale distribution, and utilization of water and to own and hold such real and personal property as may be necessary to carry out the purposes of its organization; provided, however, that a commission shall not sell or distribute water, at retail or wholesale, within the certificated area of a water corporation which is subject to the jurisdiction of the public service commission unless the sale or distribution of water is within the boundaries of a public water supply district or municipality which is a contracting municipality in the commission and the commission has obtained the approval of the public service commission prior to commencing such said sale or distribution of water;

(4) Acquire by purchase or lease, construct, install, and operate lagoons, pipelines, wells, pumping stations, sewage treatment plants and other facilities for the treatment and transportation of sewage and to own and hold such real and personal property as may be necessary to carry out the purposes of its organization;

(5) Enter into operating, franchises, exchange, interchange, pooling, wheeling, transmission and other similar agreements with any person;

(6) Make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the commission;

(7) Employ agents and employees;

(8) Contract with any person, within or outside the state, for the construction of any project or for any interest therein or any right to capacity thereof, without advertising for bids, preparing final plans and specifications in advance of construction, or securing performance and payment of bonds, except to the extent and on such terms as its board of directors or executive committee shall determine. Any contract entered into pursuant to this subdivision shall contain a provision that the requirements of sections 290.210 to 290.340, RSMo, shall apply;

(9) Purchase, sell, exchange, transmit, treat, dispose or distribute water, sewage, gas, heat or electric power and energy, or any by-product resulting therefrom, within and outside the state, in such amounts as it shall determine

to be necessary and appropriate to make the most effective use of its powers and to meet its responsibilities, and to enter into agreements with any person with respect to such purchase, sale, exchange, treatment, disposal or transmission, on such terms and for such period of time as its board of directors or executive committee shall determine. A commission may not sell or distribute water, gas, heat or power and energy, or sell sewage service at retail to ultimate customers outside the boundary limits of its contracting municipalities except pursuant to subsection 2 or 3 of this section;

(10) Acquire, own, hold, use, lease, as lessor or lessee, sell or otherwise dispose of, mortgage, pledge, or grant a security interest in any real or personal property, commodity or service or interest therein;

(11) Exercise the powers of eminent domain for public use as provided in chapter 523, RSMo, except that the power of eminent domain shall not be exercised against any electric cooperative association, municipally owned or public utility;

(12) Incur debts, liabilities or obligations including the issuance of bonds pursuant to the authority granted in section 27 of article VI of the Missouri Constitution;

(13) Sue and be sued in its own name;

(14) Have and use a corporate seal;

(15) Fix, maintain and revise fees, rates, rents and charges for functions, services, facilities or commodities provided by the commission. **The powers enumerated in this subdivision shall constitute the power to tax for purposes of article 10, section 15 of the Missouri Constitution;**

(16) Make, and from time to time, amend and repeal, bylaws, rules and regulations not inconsistent with this section to carry into effect the powers and purposes of the commission;

(17) Notwithstanding the provisions of any other law, invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, including the proceeds from the sale of any bonds, in such obligations, securities and other investments as the commission deems proper;

(18) Join organizations, membership in which is deemed by the board of directors or its executive committee to be beneficial to accomplishment of the commission's purposes;

(19) Exercise any other powers which are deemed necessary and convenient by the commission to effectuate the purposes of the commission; and

(20) Do and perform any acts and things authorized by this section under, through or by means of an agent or by contracts with any person.

2. When a municipality purchases a privately owned water utility and a commission is created pursuant to sections 393.700 to 393.770, the commission may continue to serve those locations previously receiving water from the private utility even though the location receives such service outside the geographical area of the municipalities forming the commission. New water service may be provided in such areas if the site to receive such service is located within one-fourth of a mile from a site serviced by the privately owned water utility.

3. When a commission created by any of the contracting entities listed in subdivision (4) of section 393.705 becomes a successor to any nonprofit water corporation, nonprofit sewer corporation or other nonprofit agency or entity organized to provide water or sewer service, the commission may continue to serve, as well as provide new service to, those locations and areas previously receiving water or sewer service from such nonprofit entity, regardless of whether or not such location receives such service outside the geographical service area of the contracting entities forming such commission; provided that such locations and areas previously receiving water and sewer service from such nonprofit entity are not located within:

(1) Any county of the first classification with a population of more than six hundred thousand and less than nine hundred thousand;

(2) The boundaries of any sewer district established pursuant to article VI, section 30(a) of the Missouri Constitution; or

(3) The certificated area of a water or sewer corporation that is subject to the jurisdiction of the public service commission.

393.720. Any commission established by joint contract under sections 393.700 to 393.770 shall constitute a body public and corporate of the state, exercising public powers for the benefit of its contracting members and in order to carry out the public purposes and the public functions of its contracting members. It shall have the duties, privileges, immunities, rights, liabilities and disabilities of its contracting members and as a public body politic and corporate, **including the power to tax**, but shall not have **any additional** taxing power separate from that of its members nor shall it have the benefit of the doctrine of sovereign immunity.

393.740. 1. All bonds issued pursuant to sections 393.700 to 393.770 and all income or interest thereon shall be exempt from all state taxes, except estate and transfer taxes.

2. All property, real and tangible personal, except for properties acquired exclusively for water supply districts **and water supply commissions**, acquired by the bonds issued pursuant to sections 393.700 and 393.770 or otherwise acquired by a commission shall be subject to taxation for state, county, and municipal and other local purposes only to the same extent as if such property was owned directly by each contracting or participating municipality in such proportion or manner as specified by contract among all contracting or participating municipalities party to a project or if not specified in proportion to the percentage of each municipality's interest or participation in the facility or property."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Munzlinger, **House Amendment No. 13** was adopted by the following vote:

AYES: 082

Bearden	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Franz
Guest	Hobbs	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Smith 14	Smith 150	Stevenson	St. Onge
Sutherland	Thomson	Tilley	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 073

Aull	Avery	Baker 25	Bland	Bowman
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Davis
Donnelly	Dusenberg	Fallert	Flook	Frame
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Johnson
Komo	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Quinn 9
Robinson	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Silvey	Skaggs	Spreng
Storch	Stream	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

PRESENT: 001

Threlkeld

ABSENT WITH LEAVE: 007

Baker 123
Rucker

Funderburk
Viebrock

Kratky

Marsh

Page

Representative Wildberger offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 582, Section 135.090, Page 34, Line 38, by inserting after all of said section, the following:

"135.096. 1. In order to promote personal financial responsibility for long-term health care in this state, for all taxable years beginning after December 31, 1999, **but ending on or before December 31, 2006**, a resident individual may deduct from such individual's Missouri taxable income an amount equal to fifty percent of all nonreimbursed amounts paid by such individual for qualified long-term care insurance premiums to the extent such amounts are not included in the individual's itemized deductions. **For all taxable years beginning on or after January 1, 2007, a resident individual may deduct from such individual's Missouri taxable income an amount equal to one hundred percent of all nonreimbursed amounts paid by such individual for qualified long-term care insurance premiums to the extent such amounts are not included in the individual's itemized deductions.** A married individual filing a Missouri income tax return separately from his or her spouse shall be allowed to make a deduction pursuant to this section in an amount equal to the proportion of such individual's payment of all qualified long-term care insurance premiums. The director of the department of revenue shall place a line on all Missouri individual income tax returns for the deduction created by this section.

2. For purposes of this section, "qualified long-term care insurance" means any policy which meets or exceeds the provisions of sections 376.1100 to 376.1118, RSMo, and the rules and regulations promulgated pursuant to such sections for long-term care insurance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wildberger, **House Amendment No. 14** was adopted.

Representative Onder offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 582, Page 34, Section 135.090, Line 38, by inserting after all of said line the following:

"135.600. 1. As used in this section, the following terms shall mean:

(1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;
(2) "Maternity home", a residential facility located in this state established for the purpose of providing housing and assistance to pregnant women who are carrying their pregnancies to term, and which is exempt from income taxation under the United States Internal Revenue Code;

(3) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo;

(4) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, **including any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, RSMo**, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an

insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a maternity home.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a maternity home or homes in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director of the department of social services shall determine, at least annually, which facilities in this state may be classified as maternity homes. The director of the department of social services may require of a facility seeking to be classified as a maternity home whatever information is reasonably necessary to make such a determination. The director of the department of social services shall classify a facility as a maternity home if such facility meets the definition set forth in subsection 1 of this section.

6. The director of the department of social services shall establish a procedure by which a taxpayer can determine if a facility has been classified as a maternity home, and by which such taxpayer can then contribute to such maternity home and claim a tax credit. Maternity homes shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to maternity homes in any one fiscal year shall not exceed [two] **three** million dollars.

7. The director of the department of social services shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of the department of social services, the cumulative amount of tax credits are equally apportioned among all facilities classified as maternity homes. If a maternity home fails to use all, or some percentage to be determined by the director of the department of social services, of its apportioned tax credits during this predetermined period of time, the director of the department of social services may reapportion these unused tax credits to those maternity homes that have used all, or some percentage to be determined by the director of the department of social services, of their apportioned tax credits during this predetermined period of time. The director of the department of social services may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of the department of social services shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall become effective January 1, 2000, and shall apply to all tax years after December 31, 1999.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Onder, **House Amendment No. 15** was adopted.

Representative Dougherty offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 582, Section 144.030, Page 63, Line 14, by inserting after the words "motor fuel or" the following:

", biofuels,"; and

Further amend said bill, Section 165.071, Page 76, Line 18, by inserting after all of said section and line the following:

"313.057. 1. It is unlawful for any person, either as an owner, lessee or employee, to operate, carry on, conduct or maintain any form of manufacturing, selling, leasing or distribution of any bingo equipment or supplies without having first procured and maintained a Missouri bingo equipment and supplies manufacturer or supplier license.

2. The commission shall submit two sets of fingerprints for each key person, as defined in commission rules and regulations, of an entity or organization seeking issuance or renewal of a Missouri bingo equipment and supplies manufacturer or supplier license, for the purpose of checking the person's prior criminal history when the commission determines a nationwide check is warranted. The fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's criminal records division. The first set of fingerprints shall be used for searching the state repository of criminal history information. The second set of fingerprints shall be forwarded to the Federal Bureau of Investigation, Identification Division, for the searching of the federal criminal history files. The patrol shall notify the commission of any criminal history information or lack of criminal history information discovered on the individual. Notwithstanding the provisions of section 610.120, RSMo, all records related to any criminal history information discovered shall be accessible and available to the commission.

3. The holder of a state bingo license may, within two years of cessation of conducting bingo or upon specific approval by the commission, dispose of by sale in a manner approved by the commission, any or all of his bingo equipment and supplies, without a supplier's license. In case of foreclosure of a lien by a bank or other person holding a security interest for which bingo equipment is security in whole or in part for the lien, the commission may authorize the disposition of the bingo equipment without requiring a supplier's license.

4. Any person whom the commission determines to be a suitable person to receive a license pursuant to the provisions of this section may be issued a manufacturer's or supplier's license. The commission may require suppliers to post a bond with the commission in an amount and in the manner prescribed by the commission. The burden of proving his qualification to receive or hold a license pursuant to this section is at all times on the applicant or licensee.

5. The commission shall charge and collect from each applicant for a supplier's license a one-time application fee set by the commission, not to exceed five thousand dollars. The commission shall charge and collect an annual renewal fee for each supplier licensee not to exceed one thousand dollars.

6. The commission shall charge and collect from each applicant for a manufacturer's license a one-time application fee set by the commission, not to exceed one thousand dollars. The commission shall charge and collect an annual renewal fee for each manufacturer licensee not to exceed five hundred dollars.

7. The commission shall charge and collect from each applicant for a hall provider's license a one-time application fee set by the commission, not to exceed seven hundred fifty dollars. The commission shall charge and collect an annual renewal fee for each hall provider licensee not to exceed five hundred dollars.

8. All licenses issued pursuant to this section shall be issued for the calendar year and shall expire on December thirty-first of each year. Regardless of the date of application or issuance of the license, the fee to be charged and collected pursuant to this section shall be the full annual fee.

9. All license fees collected pursuant to this section shall be paid over immediately to the state treasurer to be deposited to the credit of the gaming commission bingo fund.

10. All licensees pursuant to this section shall maintain for a period of not less than three years full and complete records of all business carried on in this state and shall make same available for inspection to any duly authorized representative of the commission. If a supplier does not receive payment in full from an organization within thirty days of the delivery of bingo supplies, the supplier shall notify the commission in writing, or in a manner specified by the commission in its rules and regulations, of the delinquency. Upon receipt of the notice of delinquency, the commission shall notify all suppliers that until further notice from the commission, all sales of bingo supplies to the delinquent organizations shall be on a cash-only basis. Upon receipt of the notice from the commission, no supplier may extend credit to the delinquent organization until such time as the commission approves credit sales. If a manufacturer does not receive payment in full from a supplier within ninety days of the delivery of bingo supplies, the manufacturer shall notify the commission in writing, or in a manner specified by the commission in its rules and regulations, of the delinquency. Upon receipt of the notice of delinquency, the commission shall notify all manufacturers that until further notice from the commission, all sales of bingo supplies to the delinquent supplier shall be on a cash-only basis. Upon receipt of the notice from the commission, no manufacturer may extend credit to the delinquent supplier until such time as the commission approves credit sales.

11. [Until January 1, 1995, all suppliers shall pay a tax on all pull-tab cards distributed by them in the amount of ten dollars per box when sold by any organization licensed to conduct bingo pursuant to the provisions of sections 313.005 to 313.080. No box sold shall contain more than twenty-four hundred pull-tab cards. Beginning January 1, 1995, a tax is hereby imposed in the amount of two percent of the gross receipts of the retail sales value charged for each

pull-tab card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total amount paid which may be retained by the supplier, if timely filed and paid, shall be paid on a monthly basis to the commission by each supplier of pull-tabs and shall be due on the last day of each month following the month in which the pull-tabs were sold. The taxes shall be deposited in the state treasury, credited to the bingo proceeds for education fund.] All pull-tab cards sold by suppliers in this state shall bear on the face thereof the amount for which such pull-tab cards will be sold, and the license number of the supplier shall be printed on the inventory statement commonly called the flare, enclosed in each unit container. Each unit container shall contain cards printed in such a manner as to ensure that at least sixty percent of the gross revenues generated by the ultimate sale of such cards shall be returned to the final purchasers of such cards. [Any supplier who fails to pay the tax imposed pursuant to this subsection shall have his license issued pursuant to this section revoked and shall be guilty of a class A misdemeanor.]" ; and

Further amend said bill, Section 144.517, Page 78, Line 13, by inserting after all of said line and section the following:

"[313.055. 1. Until January 1, 1995, a tax is hereby imposed on each organization conducting the game of bingo which awards to winners of bingo games prizes or merchandise having an aggregate retail value of more than five thousand dollars annually and more than one hundred dollars in any single day. The tax shall be in an amount equal to two and one-half percent of the total gross receipts realized from each game of bingo conducted, shall be paid on a monthly basis to the commission, by each person or licensee conducting a game or games of bingo and shall be due on the fifteenth day of the month following the month in which each bingo game was conducted. Beginning January 1, 1995, the tax shall be in the amount of two-tenths of one cent upon each bingo card and progressive bingo game card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total amount paid which may be retained by the supplier, shall be paid on a monthly basis to the commission, by each supplier of bingo supplies and shall be due on the last day of the month following the month in which the bingo card was sold, with the date of sale being the date on the invoice evidencing the sale, along with such reports as may be required by the commission. The taxes shall be deposited in the state treasury, credited to the bingo proceeds for education fund.

2. All taxes not paid to the commission by the person or licensee required to remit the same on the date when the same becomes due and payable to the commission under the provisions of sections 313.005 to 313.085 shall bear interest at the rate to be set by the commission not to exceed two percent per calendar month, or fraction thereof, from and after such date until paid. In addition, the commission may impose a penalty not to exceed three times the amount of taxes due for failure to submit the reports required by this section and pay the taxes due.]" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt assumed the Chair.

On motion of Representative Dougherty, **House Amendment No. 16** was adopted.

On motion of Representative Sutherland, **HCS SB 582, as amended**, was adopted.

On motion of Representative Sutherland, **HCS SB 582, as amended**, was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Bruns	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg

El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	George
Grill	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 012

Burnett	Casey	Frame	Harris 110	Hughes
Kuessner	Low 39	Lowe 44	Nasheed	Oxford
Talboy	Whorton			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bowman	Brown 50	Corcoran	Darrough	Funderburk
Kratky	Marsh	Robinson	Roorda	Scharnhorst
Schoemehl	Wasson			

Representative Pratt declared the bill passed.

Representative Dixon resumed the Chair.

HCS SB 516, as amended, relating to judicial personnel and proceedings, was taken up by Representative Pratt.

Representative Lembke offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 516, Page 129, Section 452.550, Line 5, by inserting after all of said line the following:

"[476.320. There is hereby established "The Judicial Conference of the State of Missouri". The conference shall consist of the judges and commissioners of the supreme court and of the court of appeals, the circuit judges, associate circuit judges, family court commissioners, the commissioners of the juvenile division of the circuit courts, and all judges and commissioners who have retired under any of the provisions of sections 476.450 to 476.595 heretofore or hereafter in effect. The chief justice

of the supreme court, or in his absence the vice president elected by the executive council, shall be the presiding officer.]

[476.330. The conference shall meet on the call of the chief justice. A meeting shall be called at least once a year at some convenient time and place in the state. It shall be the duty of all members of the conference to attend such annual meeting.]

[476.340. 1. The governing body of the conference, between annual sessions, shall be the executive council. The executive council shall consist of the following members:

(1) The chief justice of the supreme court, or some member of the supreme court appointed by him;

(2) Two other members of the supreme court appointed by the supreme court;

(3) One member of each district of the court of appeals elected by the judges thereof, respectively;

(4) Eight circuit judges, other than judges of the probate division, three of whom shall be elected for three-year terms, one from each district of the court of appeals, by the circuit judges, other than judges of the probate division, of the district to represent each of the districts of the court of appeals, respectively. A judge whose circuit is in part in more than one district of the court of appeals may vote in and be elected to represent either district but not both. Five of the circuit judges on the council shall be elected for three-year terms by the circuit judges of the state;

(5) One judge of the probate division of circuit courts in counties having a population of more than thirty thousand inhabitants elected for a three-year term by the judges of the probate divisions of the circuit courts in such counties;

(6) Three associate circuit judges elected for three-year terms, one from each district of the court of appeals, by the associate circuit judges of the district to represent each of the districts of the court of appeals, respectively;

(7) Three other associate circuit judges elected for three-year terms by the associate circuit judges of the state;

(8) One associate circuit judge from counties having a population of thirty thousand inhabitants or less elected for a three-year term by the associate circuit judges in such counties;

(9) One retired judge or commissioner who is a member of the judicial conference elected for a three-year term by such judges and commissioners.

Members of the executive council on August 28, 2003, shall serve out their terms and their replacements shall be elected under the provisions of this section. Vacancies shall be filled for the unexpired term of any member as provided by resolution of the judicial conference.

2. The executive council shall have general supervision of the work of the conference and such other duties and authority as may be given to it under rules or resolutions adopted by the conference. The members of the executive council shall elect one of its members vice president to act in the absence of the chief justice.]

[476.350. 1. It shall be the duty of said judicial conference and its executive council to study the organization, rules, methods of procedure, and practice of the judicial system of this state, the work accomplished, and the results produced by that system in its various parts and judicial tribunals; the problems of administration confronting the courts and the judicial system in general.

2. It shall be the duty of the presiding judge of each circuit, of the chief justice of the supreme court and of the chief judge of each district of the court of appeals to prepare and submit to the executive council, at such times and in such form as may be specified by rules of the conference, reports setting forth the condition of the docket and the business dispatched and pending in his court or the courts over which he presides, and such other facts pertinent to the business dispatched and pending as the conference or its executive council may deem proper. Such reports shall be public records and rules may be made for publication of the same or summaries thereof.

3. It shall be the duty of said conference through its executive council to make biennially to the general assembly of the state any recommendations it may deem proper for the modification or

amelioration of existing conditions, for harmonizing and improving laws, or for amendments to the codes of practice and procedure, and concerning any statute or legislative act which has been declared unconstitutional.

4. The conference may authorize the presiding officer or the executive council to appoint such committees as are necessary to expedite the performance of the duties herein required. The conference may make and adopt such rules as it deems necessary to carry out the purposes and provisions of this law.]

[476.360. The clerks of the various courts of the state named in section 476.320, shall make such reports to the executive council as the conference or the executive council may require.]

[476.370. The conference or the executive council is empowered in its discretion to hold before the full conference, or its executive council, or any committee thereof it may constitute for such purpose, hearings on any question concerning which the conference or its executive council may deem it proper to hold hearings.]

[476.380. Each judge attending the annual meeting of the conference, and each member of the executive council attending meetings of the council not to exceed four times each year, shall receive his actual and necessary expenses, to be paid from the state treasury on order of the presiding officer certified to the commissioner of administration.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lembke moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 039

Avery	Bearden	Bivins	Brown 30	Bruns
Cunningham 145	Cunningham 86	Davis	Deeken	Dougherty
Emery	Fisher	Hunter	Ice	Kelly
Lembke	May	Moore	Munzlinger	Muschany
Nieves	Onder	Parson	Quinn 7	Robb
Ruestman	Sander	Schaaf	Schad	Scharnhorst
Schoeller	Self	St. Onge	Threlkeld	Wallace
Walton	Wood	Wright 159	Mr Speaker	

NOES: 122

Aull	Baker 25	Baker 123	Bland	Bowman
Brandom	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Curls	Darrough	Daus	Day
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Ervin	Faith	Fallert
Fares	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Jones 89	Jones 117
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	McClanahan	McGhee	Meadows
Meiners	Nance	Nasheed	Nolte	Norr
Oxford	Page	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robinson	Roorda

Rucker	Ruzicka	Salva	Sater	Scavuzzo
Schieffer	Schlottach	Schneider	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Funderburk Marsh

Representative Lipke offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 516, Section 479.011, Page 105, Line 40, by inserting immediately after said line the following:

"479.260. 1. Municipalities by ordinance may provide for fees in an amount per case to be set pursuant to sections 488.010 to 488.020, RSMo, for each municipal ordinance violation case filed before a municipal judge, and in the event a defendant pleads guilty or is found guilty, the judge may assess costs against the defendant except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs. **In the event the case is dismissed before the defendant pleads guilty or is found guilty, the municipal judge may assess municipal court costs as determined by section 488.012, RSMo, against the defendant if the defendant consents to paying the costs except in those cases where the defendant is found by the judge to be unable to pay the costs.** The fees authorized in this subsection are in addition to service charges, witness fees and jail costs that may otherwise be authorized to be assessed, but are in lieu of other court costs. The fees provided by this subsection shall be collected by the municipal division clerk in municipalities electing or required to have violations of municipal ordinances tried before a municipal judge pursuant to section 479.020, or to employ judicial personnel pursuant to section 479.060, and disbursed as provided in subsection 1 of section 479.080. Any other court costs required in connection with such cases shall be collected and disbursed as provided in sections 488.010 to 488.020, RSMo; provided that, each municipal court may establish a judicial education fund in an account under the control of the municipal court to retain one dollar of the fees collected on each case and to use the fund only to pay for:

- (1) The continuing education and certification required of the municipal judges by law or supreme court rule; and
- (2) Judicial education and training for the court administrator and clerks of the municipal court.

Provided further, that no municipal court shall retain more than one thousand five hundred dollars in the fund for each judge, administrator or clerk of the municipal court. Any excess funds shall be transmitted quarterly to the general revenue fund of the county or municipal treasury.

2. In municipal ordinance violation cases which are filed in the associate circuit division of the circuit court, fees shall be assessed in each case in an amount to be set pursuant to sections 488.010 to 488.020, RSMo. In the event a defendant pleads guilty or is found guilty, the judge shall assess costs against the defendant except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs. In the event a defendant is acquitted or the case is dismissed, the judge shall not assess costs against the municipality. The costs authorized in this subsection are in addition to service charges, witness fees and jail costs that may otherwise be authorized to be assessed, but are in lieu of other court costs. The costs provided by this subsection shall be collected by the municipal division clerk in municipalities electing or required to have violations of municipal ordinances tried before a municipal judge pursuant to section 479.020, or to employ judicial personnel pursuant to section 479.060, and disbursed as provided in subsection

2 of section 479.080. Any other court costs required in connection with such cases shall be collected and disbursed as provided in sections 488.010 to 488.020, RSMo.

3. A municipality, when filing cases before an associate circuit judge, shall not be required to pay fees.

4. No fees for a judge, city attorney or prosecutor shall be assessed as costs in a municipal ordinance violation case.

5. In municipal ordinance violation cases, when there is an application for a trial de novo, there shall be an additional fee in an amount to be set pursuant to sections 488.010 to 488.020, RSMo, which shall be assessed in the same manner as provided in subsection 2 of this section.

6. Municipalities by ordinance may provide for a schedule of costs to be paid in connection with pleas of guilty which are processed in a traffic violations bureau. If a municipality files its municipal ordinance violation cases before a municipal judge, such costs shall not exceed the court costs authorized by subsection 1 of this section. If a municipality files its municipal ordinance violations cases in the associate circuit division of the circuit court, such costs shall not exceed the court costs authorized by subsection 2 of this section."; and

Further amend said substitute, Section 488.2253, Page 111, Line 15, by inserting immediately after said line the following:

"488.5032. In the event a criminal case is dismissed in a circuit court in this state before the defendant pleads guilty or is found guilty, the circuit judge may assess costs as determined by section 488.012, RSMo, against any defendant if the defendant consents to paying the costs except in those cases where the defendant is found by the judge to be indigent and unable to pay the costs."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt offered **House Amendment No. 1 to House Amendment No. 8.**

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 516, Page 3, Line 14, by inserting after all of said line the following:

Further amend said bill, Page 121, Section 2, Line 65, by inserting after all of said line the following:

"9. Any person may file a complaint alleging violations of this section with the chief disciplinary counsel appointed by the Missouri supreme court. The chief disciplinary counsel shall investigate all complaints filed under this section and assess penalties as provided in subsection 10 of this section;

10. Anyone who knowingly violates any provision of this section, in addition to any other penalty imposed by law, may be held liable for civil penalties in an amount not to exceed the total cost of the advertisement, or ten-thousand dollars, whichever is greater. Any person may file a civil suit to recover the penalties in this section. The penalties may also be determined by the chief disciplinary counsel, and such penalties shall be deposited in the tort victims' compensation fund. For purposes of this section, "total cost of the advertisement" shall include the cost of production of the advertisement, reproduction of the advertisement and the amount paid to broadcast the advertisement."

On motion of Representative Pratt, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Lipke, **House Amendment No. 8, as amended**, was adopted.

Representative Sater offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 516, Section 105.711, Page 15, Line 84, by inserting after the word, "school" the following words, "**or camp**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 9** was adopted.

Representative Schieffer offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 516, Page 102, Section 478.463, Line 1, by inserting immediately preceding all of said line the following:

"478.186. 1. Beginning August 29, 1991, circuit number forty-five shall consist of the counties of Lincoln and Pike.

2. The circuit court judge who sat in division three of the eleventh judicial circuit on August 28, 1991, shall beginning August 29, 1991, be the circuit judge of the forty-fifth judicial circuit and shall hold office for the remainder of the term to which he was elected or appointed, and until his successor is elected and qualified.

3. Beginning August 28, 2007, there shall be two circuit judges in the forty-fifth judicial circuit. These judges shall sit in divisions numbered one and two. The circuit judge who sat in this circuit on August 27, 2007, shall sit in division one until a successor is duly elected in 2012. The circuit judge in division two shall be elected in 2008."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Stevenson offered **House Amendment No. 1 to House Amendment No. 10**.

House Amendment No. 1 to House Amendment No. 10 was withdrawn.

Representative Schieffer moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Davis	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Grisamore
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Onder	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Threlkeld	Tilley	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

NOES: 081

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Daus	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Guest	Haywood
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Nance
Nieves	Nolte	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Thomson	Wasson	Wells
Weter	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 002

Sutherland Wilson 119

ABSENT WITH LEAVE: 008

Corcoran	Funderburk	Kratky	Marsh	Moore
Muschany	Viebrock	Wallace		

Representative Storch offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 516, Section 356.211, Page 65, Line 18, by inserting immediately after said line the following:

"402.205. 1. [The families, friends and guardians of] Persons who have a disability [or] , **as defined in section 402.200, or persons who** are eligible for services provided by the department of mental health, or both, may participate in a trust which may supplement the care, support, and treatment of such persons pursuant to the provisions of sections 402.199 to 402.220. Neither the contribution to the trust for the benefit of a life beneficiary nor the use of trust income to provide benefits shall in any way reduce, impair or diminish the benefits to which such person is otherwise entitled by law; and the administration of the trust shall not be taken into consideration in appropriations for the department of mental health to render services required by law.

2. Unless otherwise prohibited by federal statutes or regulations, all state agencies shall disregard the trust as a resource when determining eligibility of Missouri residents for assistance under chapter 208, RSMo.

3. The assets of the board of trustees and assets held in trust pursuant to the provisions of sections 402.199 to 402.220 shall not be considered state money, assets of the state or revenue for any purposes of the state constitution or statutes. The property of the board of trustees and its income and operations shall be exempt from all taxation by the state or any of its political subdivisions.

402.210. 1. There is hereby created the "Missouri Family Trust Board of Trustees", which shall be a body corporate and an instrumentality of the state. The board of trustees shall consist of nine persons appointed by the governor with the advice and consent of the senate. The members' terms of office shall be three years and until their successors are appointed and qualified. The trustees shall be persons who are not prohibited from serving by sections 105.450 to 105.482, RSMo, and who are not otherwise employed by the department of mental health. The board of trustees shall be composed of the following:

(1) Three members of the immediate family of persons who have a disability [or are the recipients of services provided by the department in the treatment of mental illness] **of mental illness**. The advisory council for comprehensive psychiatric services, created pursuant to section 632.020, RSMo, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for a term of one year, one for two years, and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council for comprehensive psychiatric services shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(2) Three members of the immediate family of persons who [are recipients of services provided by the department in the habilitation of the mentally retarded or developmentally disabled] **have a developmental disability**. The Missouri advisory council on mental retardation and developmental disabilities, created pursuant to section 633.020, RSMo, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council on mental retardation and developmental disabilities shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(3) Three persons who are recognized for their expertise in general business matters and procedures. Of the three business people to be appointed by the governor, one shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the governor shall appoint one business person as trustee for a term of three years.

2. The trustees shall receive no compensation for their services. The trust shall reimburse the trustees for necessary expenses actually incurred in the performance of their duties.

3. As used in this section, the term "immediate family" includes spouse, parents, parents of spouse, children, spouses of children and siblings.

4. The board of trustees shall be subject to the provisions of sections 610.010 to 610.120, RSMo.

5. The board of trustees shall annually prepare or cause to be prepared an accounting of the trust funds and shall transmit a copy of the accounting to the governor, the president pro tempore of the senate and the speaker of the house of representatives.

6. The board of trustees shall establish policies, procedures and other rules and regulations necessary to implement the provisions of sections 402.199 to 402.220.

402.215. 1. The board of trustees is authorized and directed to establish and administer the Missouri family trust and to advise, consult with, and render services to departments and agencies of the state of Missouri and to other nonprofit organizations which qualify as organizations pursuant to Section 501(c)(3) of the United States Internal Revenue Code of 1986, as amended, and which provide services to Missouri residents with a disability. The board shall be authorized to execute all documents necessary to establish and administer the trust including the formation of a not-for-profit corporation created pursuant to chapter 355, RSMo, and to qualify as an organization pursuant to Section 501(c)(3) of the United States Internal Revenue Code of 1986, as amended.

2. The trust documents shall include and be limited by the following provisions:

(1) The Missouri family trust shall be authorized to accept contributions from any source including trustees, personal representatives, personal custodians pursuant to chapter 404, RSMo, and other fiduciaries, and, subject to the provisions of subdivision [(11)] **(10)** of this subsection, from the life beneficiaries and their respective spouses, to be held, administered, managed, invested and distributed in order to facilitate the coordination and integration of private financing for individuals who have a disability or are eligible for services provided by the Missouri department of mental health, or both, while maintaining the eligibility of such individuals for government entitlement funding. All contributions, and the earnings thereon, shall be administered as one trust fund; however, separate accounts shall be established for each designated beneficiary. The income earned[, after deducting administrative expenses,] shall be credited to the accounts of the respective life beneficiaries in proportion to the principal balance in the account for each such life beneficiary, to the total principal balances in the accounts for all life beneficiaries;

(2) Every donor may designate a specific person as the life beneficiary of the contribution made by such donor. In addition, each donor may name a cotrustee, including the donor, and a successor or successors to the cotrustee, to act with the trustees of the trust on behalf of the designated life beneficiary; provided, however, a life beneficiary shall not be eligible to be a cotrustee or a successor cotrustee[; provided, however, that] . Court approval of the specific [person] **persons** designated as life beneficiary and as cotrustee or successor trustee shall be required [in connection with] **at the time** any trust is created pursuant to section 473.657, RSMo, or section 475.093, RSMo;

(3) The cotrustee, with the consent of the trust, shall from time to time [but not less frequently than annually] determine the amount of income or principal or income and principal to be used to provide noncash benefits and the nature and type of benefits to be provided for the life beneficiary. Any net income which is not used shall be added to principal annually. In the event that the trust and the cotrustee shall be unable to agree either on the amount of income or principal or income and principal to be used or the benefits to be provided, then either the trust or the cotrustee shall have the right to request that the matter be resolved by arbitration which shall be conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association. The requesting party shall send a written request for arbitration to the responding party and shall in such request set forth the name, address and telephone number of such requesting party's arbitrator. The responding party shall, within ten days after receipt of the request for arbitration, set forth in writing to the requesting party the name, address and telephone number of the responding party's arbitrator. Copies of the request for arbitration and response shall be sent to the director of the department. If the two designated arbitrators shall be unable to agree upon a third arbitrator within ten days after the responding party shall have identified such party's arbitrator, then the director of the department shall designate the third arbitrator by written notice to the requesting and responding parties' arbitrators. The three arbitrators shall meet, conduct a hearing, and render a decision within thirty days after the appointment of the third arbitrator. A decision of a majority of the arbitrators shall be binding upon the requesting and responding parties. Each party shall pay the fees and expenses of such party's arbitrator and the fees and expenses of the third arbitrator shall be borne equally by the parties. Judgment on the arbitrators' award may be entered in any court of competent jurisdiction;

(4) Any donor, during his or her lifetime, except for a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, may revoke any gift made to the trust; provided, however, any donor may, at any time, voluntarily waive the right to revoke. In the event that at the time the donor shall have revoked his or her gift to the trust the life beneficiary shall not have received any benefits provided by use of trust income or principal, then an amount equal to one hundred percent of the principal balance shall be returned to the donor. Any undistributed net income shall be distributed to the charitable trust. In the event that at the time the donor shall have revoked his or her gift to the trust the life beneficiary shall have received any benefits provided by the use of trust income or principal, then an amount equal to ninety percent of the principal balance shall be returned to the donor. The balance of the principal balance together with all undistributed net income shall be distributed to the charitable trust;

(5) Any acting cotrustee, except a cotrustee of a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, other than the original donor of a life beneficiary's account, shall have the right, for good and sufficient reason upon written notice to the trust and the department stating such reason, to withdraw all or a portion of the principal balance. In such event, the applicable portion, as set forth in subdivision (7) of this subsection, of the principal balance shall then be distributed to the successor trust and the balance of the principal balance together with any undistributed net income shall be distributed to the charitable trust;

(6) In the event that a life beneficiary for whose benefit a contribution or contributions shall have been made to the family trust shall cease to [be eligible for services provided by the department of mental health] **have a disability as defined in section 402.200** and neither the donor nor the then acting cotrustee, except a cotrustee of a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, shall revoke or withdraw the applicable portion, as set forth in subdivision (7) of this subsection, of the principal balance, then the board of trustees may, by written notice to such donor or acting cotrustee, terminate the trust as to such beneficiary and thereupon shall distribute the applicable portion, as set forth in subdivision (7) of this subsection, of the principal balance, to the trustee of the successor trust to be held, administered and distributed by such trustee in accordance with the provisions of the successor trust described in subdivision (12) of this subsection;

(7) If at the time of withdrawal or termination as provided in subdivision (6) of this subsection of a life beneficiary's account from the trust either the life beneficiary shall not have received any benefits provided by the use of the trust income or principal or the life beneficiary shall have received benefits provided by the use of trust income or principal for a period of not more than five years from the date a contribution shall have first been made to the trust for such life beneficiary, then an amount equal to ninety percent of the principal balance shall be distributed to the successor trust, and the balance of the principal balance together with all undistributed net income shall be distributed to the charitable trust; provided, however, if the life beneficiary at the time of such withdrawal by the cotrustee or termination as provided above shall have received any benefits provided by the use of trust income or principal for a period of more than five years from the date a contribution shall have first been made to the trust for such life beneficiary, then an amount equal to seventy-five percent of the principal balance shall be distributed to the successor trust, and the balance of the principal balance together with all undistributed net income shall be distributed to the charitable trust;

(8) Subject to the provisions of subdivision (9) of this subsection, if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, then an amount equal to one hundred percent of the principal balance shall be distributed to such person or persons as the donor shall have designated. Any undistributed net income shall be distributed to the charitable trust. If at the time of death of the life beneficiary, the life beneficiary shall have been receiving benefits provided by the use of trust income or principal or income and principal, then, in such event, an amount equal to seventy-five percent of the principal balance shall be distributed to such person or persons as the donor designated, and the balance of the principal balance, together with all undistributed net income, shall be distributed to the charitable trust;

(9) In the event the trust is created as a result of a distribution from a personal representative of an estate of which the life beneficiary is a distributee, then if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, an amount equal to one hundred percent of the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law. Any undistributed income shall be distributed to the charitable trust. If at the time of death of the life beneficiary the life beneficiary shall have been receiving benefits provided by the use of trust income or principal or income and principal, then, an amount equal to seventy-five percent of the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law. The balance of the principal balance together with all undistributed income shall be distributed to the charitable trust. If there are no heirs at the time of either such distribution, the then-principal balance together with all undistributed income shall be distributed to the charitable trust;

(10) In the event the trust is created [as a result of the recovery of damages by reason of a personal injury to the life beneficiary, then if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, the state of Missouri shall receive all amounts remaining in the life beneficiary's account up to an amount equal to the total medical assistance paid on behalf of such life beneficiary under a state plan under Title 42 of the United States Code, and then to the extent there is any amount remaining in the life beneficiary's account, an amount equal to one hundred percent of the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law. If there are no heirs, the balance, if any, of the principal balance together with all undistributed income shall be distributed to the charitable trust. If at the time of death of the life beneficiary the life beneficiary should have been receiving benefits provided by the use of trust income or principal or income and principal then the state of Missouri shall receive all amounts remaining in the life beneficiary's account up to an amount equal to the total medical assistance paid on behalf of such life beneficiary under a state plan under Title 42 of the United States Code, and then to the extent there is any amount remaining in the life beneficiary's account, an amount equal to seventy-five percent of the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law and the balance of the principal balance together with all undistributed income shall be distributed to the charitable trust. If there are no heirs, the balance of the principal balance, together with all undistributed income, shall be distributed to the charitable trust;

(11) In the event an account is established] **with the proceeds from the recovery of damages by reason of a personal injury to the life beneficiary or** with the assets of the beneficiary by the beneficiary, a family member, the beneficiary's guardian, or pursuant to a court order, all in accordance with Title 42 of the United States Code Section **1396p(d)(4)(A) or Section 1396p(d)(4)(C)**, then upon the death of the life beneficiary the state of [Missouri] **residence of the beneficiary** shall receive all amounts remaining in the life beneficiary's account up to an amount equal to the total medical assistance paid on behalf of such life beneficiary under a state plan under Title 42 of the United States Code[, and then] ("**State Plan**") **; except that twenty-five percent of the principal balance shall first be distributed to the charitable trust.** To the extent there is any amount remaining in the life beneficiary's account, [an amount equal to seventy-five percent of] the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law [and the balance of the principal balance together with all undistributed income shall be distributed to the charitable trust]. If there are no heirs, the balance of the principal balance together with all undistributed income shall be distributed to the charitable trust. **In the event that two or more states are entitled to receive reimbursement for medical assistance paid on behalf of a beneficiary and the total of such medical assistance is in excess of the balance in the beneficiary account, then each such state shall be paid an amount equal to that portion of the beneficiary's account as is equal to the portion of the total medical assistance paid by each such state;**

[(12)] (11) Notwithstanding the provisions of subdivisions (4) to (8) of this subsection to the contrary, the donor may voluntarily agree to a smaller percentage of the principal balance in any account established by such donor than is provided in this subsection to be returned to the donor or distributed to the successor trust, as the case may be; and a corresponding larger percentage of the principal balance in such account to be distributed either to the charitable trust or to a designated restricted account within the charitable trust;

[(13)] **(12)** Upon receipt of a notice of withdrawal from a designated cotrustee, other than the original donor, and a determination by the board of trustees that the reason for such withdrawal is good and sufficient, or upon the issuance of notice of termination by the board of trustees, the board of trustees shall distribute and pay over to the designated trustee of the successor trust the applicable portion of the principal balance as set forth in subdivision (7) of this subsection; provided, however, that court approval of distribution to a successor trustee shall be required in connection with any trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo.

The designated trustee of the successor trust shall hold, administer and distribute the principal and income of the successor trust, in the discretion of such trustee, for the maintenance, support, health, education and general well-being of the beneficiary, recognizing that it is the purpose of the successor trust to supplement, not replace, any government benefits for the beneficiary's basic support to which such beneficiary may be entitled and to increase the quality of such beneficiary's life by providing the beneficiary with those amenities which cannot otherwise be provided by public assistance or entitlements or other available sources. Permissible expenditures include, but are not limited to, more sophisticated dental, medical and diagnostic work or treatment than is otherwise available from public assistance, private rehabilitative training, supplementary education aid, entertainment, periodic vacations and outings, expenditures to foster the interests, talents and hobbies of the beneficiary, and expenditures to purchase personal property and services which will make life more comfortable and enjoyable for the beneficiary but which will not defeat his or her eligibility for public assistance. Expenditures may include payment of the funeral and burial costs of the beneficiary. The designated trustee, in his or her discretion, may make payments from time to time for a person to accompany the beneficiary on vacations and outings and for the transportation of the beneficiary or of friends and relatives of the beneficiary to visit the beneficiary. Any undistributed income shall be added to the principal from time to time. Expenditures shall not be made for the primary support or maintenance of the beneficiary, including basic food, shelter and clothing, if, as a result, the beneficiary would no longer be eligible to receive public benefits or assistance to which the beneficiary is then entitled. After the death and burial of the beneficiary, the remaining balance of the successor trust shall be distributed to such person or persons as the donor shall have designated;

[(14)] **(13)** The charitable trust shall be administered as part of the family trust, but as a separate account. The income attributable to the charitable trust shall be used to provide benefits for individuals who have a disability [or who are eligible for services provided by or through the department and who either have no immediate family or whose immediate family, in the reasonable opinion of the trustees, is financially unable to make a contribution to the trust sufficient to provide benefits for such individuals, while maintaining such individuals' eligibility for government entitlement funding] **and who have no income or very limited income other than benefits.** The trustees may from time to time determine to use part of the principal of the charitable trust to provide such benefits. [As used in this section, the term "immediate family" includes parents, children and siblings. The individuals to be beneficiaries of the charitable trust shall be recommended to the trustees by the department and others from time to time.] The trustees shall annually determine the amount of charitable trust income or principal to be used to provide benefits and the nature and type of benefits to be provided for each identified beneficiary of the charitable trust. Any income not used shall be added to principal annually;

[(15)] **(14)** Any person, with the consent of the board of trustees, may establish a restricted account within the charitable trust and shall be permitted to determine, with the consent of the board of trustees, the beneficiaries of such restricted account provided such beneficiaries qualify as participants of the trust as set forth in subsection 1 of section 402.205.

402.217. 1. No beneficiary shall have any vested or property rights or interests in [the family] **any trust established for the benefit of such beneficiary**, nor shall any beneficiary have the power to anticipate, assign, convey, alienate, or otherwise encumber any interest in the income or principal of the [family] trust, nor shall such income or the principal or any interest of any beneficiary thereunder be liable for any debt incurred by such beneficiary, nor shall the principal or income of the [family] trust be subject to seizure by any creditor or any beneficiary under any writ or proceeding in law or in equity.

2. Except for the right of a donor to revoke any gift made to the trust, pursuant to subdivision (4) of subsection 2 of section 402.215, and the right of any acting cotrustee, other than the original donor, to withdraw all or a portion of the principal balance, pursuant to subdivision (5) of subsection 2 of section 402.215, neither the donor nor any acting cotrustee shall have the right to sell, assign, convey, alienate or otherwise encumber, for consideration or otherwise, any interest in the income or principal of the family trust, nor shall such income or the principal or any interest of any beneficiary thereunder be liable for any debt incurred by the donor or any acting cotrustee, nor shall the principal or

income of the family trust be subject to seizure by any creditor of any donor or any acting cotrustee under any writ or proceeding in law or in equity."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Storch, **House Amendment No. 11** was adopted.

Representative Nasheed offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 516, Page 119, Section 570.055, Line 3, by inserting after all of said line the following:

"610.130. 1. Notwithstanding any other provision of law to the contrary and cumulative with any rights to expungement of criminal records, this section authorizes the sealing of criminal records of adults and minors prosecuted as adults.

2. The following offenses may be sealed:

(1) All municipal ordinance violations and misdemeanor offenses, with the following exceptions:

(a) Driving while intoxicated under section 577.010, RSMo;

(b) Driving with excessive blood alcohol content under section 577.012, RSMo;

(c) Any misdemeanor violation of chapter 566, RSMo;

(d) Any violation of an order or protection issued under chapter 455, RSMo;

(e) Any misdemeanor offense requiring registration under section 589.400, RSMo; and

(f) Any municipal ordinance violation or misdemeanor offense committed by a holder of a commercial driver's license regardless of what type of vehicle the offense is committed in;

(2) Any non-violent felony.

3. Records identified as sealable under subsection 2 of this section may be sealed when the individual was:

(1) Acquitted of the offense or offenses or released without being convicted;

(2) Convicted of the offense or offenses and the conviction or convictions were reversed;

(3) Placed on misdemeanor probation for an offense or offenses and:

(a) At least three years have elapsed since the completion of the probation or terms of probation, if more than one term has been ordered; and

(b) The individual has not been convicted of a felony or misdemeanor, or been placed on probation for a misdemeanor or felony during the three-year period specified in paragraph (a) of this subdivision;

(4) Convicted of an offense or offenses and:

(a) At least four years have elapsed since the last such conviction or term of sentence, probation, parole, or supervision, if any, whichever is later; and

(b) The individual has not been convicted of a felony or misdemeanor, or been placed on probation for a misdemeanor or felony during the four-year period specified in paragraph (a) of this subdivision.

4. A person shall not have any subsequent felony conviction records sealed if such person is convicted of any felony offense after the date of the sealing of prior felony records under this section.

5. Upon acquittal, release without conviction, or being placed on probation for a sealable offense, or upon conviction of a sealable offense, the court shall inform such person of the right to have the records sealed and the procedures for the sealing of the records under section 610.123.

6. Upon becoming eligible for the sealing of records under this section, the person seeking the sealing of his or her records shall file a petition in accordance with the same procedures established in section 610.123 for expungement of records. The clerk of the court may charge a fee equivalent to the cost associated with the sealing of records by the clerk."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nasheed moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 018

Baker 25	Bland	Bowman	Burnett	Cooper 155
Cunningham 145	Curls	Dougherty	El-Amin	Hughes
Johnson	LeVota	Low 39	Lowe 44	Nasheed
Oxford	Talboy	Wright-Jones		

NOES: 132

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 158	Corcoran	Cox
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberger
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Lipke	Loehner	May
McClanahan	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

PRESENT: 007

Brown 50	Darrough	Haywood	Liese	Roorda
Walton	Whorton			

ABSENT WITH LEAVE: 006

Donnelly	Funderburk	Marsh	Moore	Salva
Wildberger				

Representative Daus offered **House Amendment No. 13**.

Representative Pratt raised a point of order that **House Amendment No. 13** goes beyond the scope of the bill.

Representative Dixon requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Stream offered **House Amendment No. 14.**

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 516, Page 26, Section 191.227, Line 1, by inserting before all of said line the following:

"191.225. 1. The department of health and senior services shall make payments to [hospitals and physicians] **appropriate medical providers**, out of appropriations made for that purpose, to cover the [cost] **charges** of the [medical] **forensic** examination [not covered by insurance, Medicare or Medicaid] of persons who may be a victim of [the crime of rape as defined in section 566.030, RSMo, or a victim of a crime as defined in chapter 566, RSMo, or sections 568.020, 568.050, 568.060, 568.080, 568.090, 568.110, and 568.175, RSMo,] **a sexual offense** if:

- (1) The victim or the victim's guardian consents in writing to the examination;
- (2) The report of the examination is made on a form approved by the attorney general with the advice of the department of health and senior services; and
- (3) The report of the examination is filed [by the victim] with the prosecuting attorney of the county in which the alleged incident occurred.

The appropriate medical provider shall file the report of the examination within three business days of completion of the forensic exam.

2. A minor may consent to examination under this section. Such consent is not subject to disaffirmance because of minority, and consent of parent or guardian of the minor is not required for such examination. The [hospital or physician] **appropriate medical provider** making the examination shall give written notice to the parent or guardian of a minor that such an examination has taken place.

3. The attorney general, with the advice of the department of health and senior services, shall develop the forms and procedures for gathering evidence **during the forensic examination** under the provisions of this section [and shall furnish every hospital and physician in this state with copies of such forms and procedures.

4. Reasonable hospital and physicians] . **The department of health and senior services shall develop a checklist for appropriate medical providers to refer to while providing medical treatment to victims of a sexual offense.**

4. **Evidentiary collection kits shall be developed and made available, subject to appropriation, to appropriate medical providers by the highway patrol or its designees and eligible crime laboratories. Such kits shall be distributed with the forms and procedures for gathering evidence during forensic examinations of victims of a sexual offense to appropriate medical providers upon request of the provider, in the amount requested, and at no charge to the medical provider. All appropriate medical providers shall, with the written consent of the victim, perform a forensic examination using the evidentiary collection kit and forms and procedures for gathering evidence following the checklist for any person presenting as a victim of a sexual offense.**

5. **All appropriate medical provider charges for eligible forensic examinations shall be billed to and paid by the department of health and senior services. No appropriate medical provider conducting forensic examinations and providing medical treatment to victims of sexual offenses shall charge the victim for the forensic examination. For appropriate medical provider charges related to the medical treatment of victims of sexual offenses, if the victim is an eligible claimant under the crime victims' compensation fund, the appropriate medical provider shall seek compensation under sections 595.010 to 595.075, RSMo.**

6. **For purposes of this section, the following terms mean:**

(1) **"Appropriate medical provider"**, any licensed nurse, physician, or physician assistant, and any institution employing licensed nurses, physicians, or physician assistants; provided that such licensed professionals are the only persons at such institution to perform tasks under the provisions of this section;

(2) **"Evidentiary collection kit"**, a kit used during a forensic examination that includes materials necessary for appropriate medical providers to gather evidence in accordance with the forms and procedures developed by the attorney general for forensic examinations;

(3) **"Forensic examination"**, an examination performed by an appropriate medical provider on a victim of an alleged sexual offense to gather evidence for the evidentiary collection kit;

(4) **"Medical treatment"**, the treatment of all injuries and health concerns resulting directly from a patient's sexual assault or victimization."; and

Further amend said bill, Page 78, Section 429.603, Line 16, by inserting after all of said line the following:

"431.056. A minor shall be qualified and competent to contract for housing, employment, purchase of an automobile, receipt of a student loan, admission to high school or postsecondary school, obtaining medical care, establishing a bank account [and], admission to a shelter for victims of domestic violence, as defined in section 455.200, RSMo, or a homeless shelter, **and receipt of services as a victim of domestic and sexual violence, including but not limited to counseling, court advocacy, financial assistance, and other advocacy services, if:**

- (1) The minor is sixteen or seventeen years of age; and
- (2) The minor is homeless, as defined in subsection 1 of section 167.020, RSMo, or a victim of domestic violence, as defined in section 455.200, RSMo, unless the child is under the supervision of the children's division or the jurisdiction of the juvenile court; and
- (3) The minor is self-supporting, such that the minor is without the physical or financial support of a parent or legal guardian; and
- (4) The minor's parent or legal guardian has consented to the minor living independent of the parents' or guardians' control. Consent may be expressed or implied, such that:
 - (a) Expressed consent is any verbal or written statement made by the parents or guardian of the minor displaying approval or agreement that the minor may live independently of the parent's or guardian's control;
 - (b) Implied consent is any action made by the parent or guardian of the minor that indicates the parent or guardian is unwilling or unable to adequately care for the minor. Such actions may include, but are not limited to:
 - a. Barring the minor from the home or otherwise indicating that the minor is not welcome to stay;
 - b. Refusing to provide any or all financial support for the minor; or
 - c. Abusing or neglecting the minor, as defined in section 210.110, RSMo."; and

Further amend said bill, Page 98, Section 452.930, Line 3, by inserting after all of said line the following:

"455.003. 1. A rape crisis center shall:

- (1) **Require persons employed by or volunteering services to the rape crisis center to maintain confidentiality of any information that would identify individuals served by the center and any information or records that are directly related to the advocacy services provided to such individuals; and**
- (2) **Prior to providing any advocacy services, inform individuals served by the rape crisis center of the nature and scope of the confidentiality requirements of subdivision (1) of this subsection.**
- 2. Any person employed by or volunteering services to a rape crisis center for victims of sexual assault shall be incompetent to testify concerning any confidential information in subsection 1 of this section, unless the confidentiality requirements is waived in writing by the individual served by the center.**
- 3. As used in this section, the term "rape crisis center" shall mean any public or private agency that offers assistance to victims of sexual assault, as the term "sexual assault" is defined in section 455.010, who are adults, as defined by section 455.010, or qualified minors, as defined by section 431.056, RSMo."; and**

Further amend said bill, Page 118, Section 559.600, Line 19, by inserting after all of said line the following:

"565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, RSMo.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim **or has previously pleaded guilty to or been found guilty of committing this crime**, in which case it is a class A felony."; and

Further amend said bill, Page 118, Section 566.150, Line 11, by inserting after all of said line the following:

"566.224. No prosecuting or circuit attorney, peace officer, governmental official, or employee of a law enforcement agency shall request or require a victim of sexual assault under section 566.040 or forcible rape under section 566.030 to submit to any polygraph test or psychological stress evaluator exam as a condition for proceeding with a criminal investigation of such crime.

566.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the Internet, that could be used to identify or locate any victim of sexual assault, domestic assault, stalking, or forcible rape shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, social security number or physical characteristics.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim."; and

Further amend said bill, Page 119, Section 570.055, Line 3, by inserting after all of said line the following:

"589.660. As used in sections 589.660 to 589.681, the following terms mean:

- (1) "Address", a residential street address, school address, or work address of a person, as specified on the person's application to be a program participant;
- (2) "Application assistant", an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter, or other specialized service to victims of domestic violence, rape, sexual assault, or stalking, who has been designated by the respective agency or program, and who has been trained and registered by the secretary of state to assist individuals in the completion of program participation applications;
- (3) "Designated address", the address assigned to a program participant by the secretary;
- (4) "Mailing address", an address that is recognized for delivery by the United States Postal Service;
- (5) "Program", the address confidentiality program established in section 589.663;
- (6) "Program participant", a person certified by the secretary of state as eligible to participate in the address confidentiality program;
- (7) "Secretary", the secretary of state.

589.663. There is created in the office of the secretary of state a program to be known as the "Address Confidentiality Program" to protect victims of domestic violence, rape, sexual assault, or stalking by authorizing the use of designated addresses for such victims and their minor children. The program shall be administered by the secretary under the following application and certification procedures:

- (1) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person may apply to the secretary to have a designated address assigned by the secretary to serve as the person's address or the address of the minor or incapacitated person;
- (2) The secretary may approve an application only if it is filed with the office of the secretary in the manner established by rule and on a form prescribed by the secretary. A completed application shall contain:
 - (a) The application preparation date, the applicant's signature, and the signature and registration number of the application assistant who assisted the applicant in applying to be a program participant;
 - (b) A designation of the secretary as agent for purposes of service of process and for receipt of first-class mail, legal documents, and certified mail;
 - (c) A sworn statement by the applicant that the applicant has good reason to believe that he or she:
 - a. Is a victim of domestic violence, rape, sexual assault, or stalking; and
 - b. Fears further violent acts from his or her assailant;
 - (d) The mailing address where the applicant may be contacted by the secretary or a designee and the telephone number or numbers where the applicant may be called by the secretary or the secretary's designee; and
 - (e) One or more addresses that the applicant requests not be disclosed for the reason that disclosure will jeopardize the applicant's safety or increase the risk of violence to the applicant or members of the applicant's household;
- (3) Upon receipt of a properly completed application, the secretary may certify the applicant as a program participant. A program participant is certified for four years following the date of initial certification unless the certification is withdrawn or cancelled before that date. The secretary shall send notification of lapsing certification and a reapplication form to a program participant at least four weeks prior to the expiration of the program participant's certification;
- (4) The secretary shall forward first-class mail, legal documents, and certified mail to the appropriate program participants.

589.666. Certification of a program participant may be cancelled by the secretary if one or more of the following conditions apply:

- (1) If the program participant obtains a name change, unless the program participant provides the secretary with documentation of a legal name change within ten business days of the name change;
- (2) If there is a change in the mailing address from the person listed on the application, unless the program participant provides the secretary with notice of the change in such manner as the secretary provides by rule; or
- (3) The applicant or program participant violates subsection 2 of section 589.663.

589.669. Upon demonstration of a program participant's certification in the program, state and local agencies and the courts shall accept the designated address as a program participant's address when creating a new public record unless the secretary has determined that:

- (1) The agency has a bona fide statutory or administrative requirement for the use of the program participant's address or mailing address, such that it is unable to fulfill its statutory duties and obligations without the address; and
- (2) The program participant's address or mailing address shall be used only for those statutory and administrative purposes.

589.672. If the secretary deems it appropriate, the secretary may make a program participant's address or mailing address available for inspection or copying, under the following circumstances:

- (1) If requested of the secretary by a law enforcement agency in the manner provided for by rule; or
- (2) Upon request to the secretary by a director of a state agency or the director's designee in the manner provided for by rule and upon a showing of a bona fide statutory or administrative requirement for the use of the program participant's address or mailing address, such that the director or the director's designee is unable to fulfill statutory duties and obligations without the address or mailing address.

589.675. If the secretary deems it appropriate, the secretary shall make a program participant's address and mailing address available for inspection or copying under the following circumstances:

- (1) To a person identified in a court order, upon the secretary's receipt of such court order that specifically orders the disclosure of a particular program participant's address and mailing address and the reasons stated for the disclosure; or
- (2) If the certification has been cancelled because the applicant or program participant violated subsection 2 of section 589.663.

589.678. A program participant's application and supporting materials are not a public record and shall be kept confidential by the secretary.

589.681. The secretary shall promulgate rules to establish and administer the address confidentiality program. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 589.660 to 589.681 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

589.683. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

- (1) Any new program authorized under sections 589.660 to 589.681 shall automatically sunset six years after the effective date of sections 589.660 to 589.681 unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under sections 589.660 to 589.681 shall automatically sunset twelve years after the effective date of the reauthorization of sections 589.660 to 589.681; and
- (3) Sections 589.660 to 589.681 shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under sections 589.660 to 589.681 is sunset.

595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred:

(1) For medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars; **or**

(2) As a result of personal property being seized in an investigation by law enforcement. Compensation paid for an "out-of-pocket loss" under this subdivision shall be in an amount equal to the loss sustained, but shall not exceed two hundred fifty dollars.

2. No compensation shall be paid unless the division of workers' compensation finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the division of workers' compensation finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the division of family services personnel; or by any other member of the victim's family. **In the case of a sexual offense, filing a report of the offense to the proper authorities may include, but not be limited to, the filing of the report of the forensic examination by the appropriate medical provider, as defined in section 191.225, RSMo, with the prosecuting attorney of the county in which the alleged incident occurred.**

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334, RSMo, or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337, RSMo, or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337, RSMo; or

(4) Professional counselor licensed pursuant to chapter 337, RSMo.

5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the division of workers' compensation among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation pursuant to sections 595.010 to 595.075 shall be determined by the division.

595.036. 1. **Any party aggrieved by a decision of the department on a claim under the provisions of sections 595.010 to 595.070 may, within thirty days following the date of notification of mailing of such decision, file a petition with the division of workers' compensation of the department of labor and industrial relations to have such decision heard de novo by an administrative law judge. The administrative law judge may affirm, reverse, or set aside the decision of the department of public safety on the basis of the evidence previously submitted in such case or may take additional evidence or may remand the matter to the department of public safety with directions. The division of workers' compensation shall promptly notify the parties of its decision and the reasons therefor.**

2. Any of the parties to a decision of **an administrative law judge** of the division of workers' compensation, **as provided by subsection 1 of this section**, on a claim heard under the provisions of sections 595.010 to 595.070 may, within thirty days following the date of notification or mailing of such decision, file a petition with the labor and industrial relations commission to have such decision reviewed by the commission. The commission may allow or deny a petition for review. If a petition is allowed, the commission may affirm, reverse, or set aside the decision of the division of workers' compensation on the basis of the evidence previously submitted in such case or may take additional evidence or may remand the matter to the division of workers' compensation with directions. The commission shall promptly notify the parties of its decision and the reasons therefor.

[2.] 3. Any petition for review filed pursuant to subsection 1 of this section shall be deemed to be filed as of the date endorsed by the United States Postal Service on the envelope or container in which such petition is received.

[3.] 4. Any party who is aggrieved by a final decision of the labor and industrial relations commission pursuant to the provisions of subsections [1 and] 2 **and 3** of this section [may seek judicial review thereof, as provided in sections 536.100 to 536.140, RSMo] **shall within thirty days from the date of the final decision, appeal the decision to the court of appeals. Such appeal may be taken by filing notice of appeal with commission, whereupon the commission shall, under its certificate, return to the court all documents and papers on file in the matter, together with a transcript of the evidence, the findings and award, which shall thereupon become the record of the cause. Upon appeal no additional evidence shall be heard and, in the absence of fraud, the findings of fact made by the commission within its powers shall be conclusive and binding. The court, on appeal, shall review only questions of law and may modify, reverse, remand for rehearing, or set aside the award upon any of the following grounds and no other:**

- (1) **That the commission acted without or in excess of its powers;**
- (2) **That the award was procured by fraud;**
- (3) **That the facts found by the commission do not support the award;**
- (4) **That there was not sufficient competent evidence in the record to warrant the making of the award.**

595.209. 1. The following rights shall automatically be afforded to victims of dangerous felonies, as defined in section 556.061, RSMo, victims of murder in the first degree, as defined in section 565.020, RSMo, victims of voluntary manslaughter, as defined in section 565.023, RSMo, and victims of an attempt to commit one of the preceding crimes, as defined in section 564.011, RSMo; and, upon written request, the following rights shall be afforded to victims of all other crimes and witnesses of crimes:

(1) For victims, the right to be present at all criminal justice proceedings at which the defendant has such right, including juvenile proceedings where the offense would have been a felony if committed by an adult, even if the victim is called to testify or may be called to testify as a witness in the case;

(2) For victims, the right to information about the crime, as provided for in subdivision (5) of this subsection;

(3) For victims and witnesses, to be informed, in a timely manner, by the prosecutor's office of the filing of charges, preliminary hearing dates, trial dates, continuances and the final disposition of the case. Final disposition information shall be provided within five days;

(4) For victims, the right to confer with and to be informed by the prosecutor regarding bail hearings, guilty pleas, pleas under chapter 552, RSMo, or its successors, hearings, sentencing and probation revocation hearings and the right to be heard at such hearings, including juvenile proceedings, unless in the determination of the court the interests of justice require otherwise;

(5) The right to be informed by local law enforcement agencies, the appropriate juvenile authorities or the custodial authority of the following:

(a) The status of any case concerning a crime against the victim, including juvenile offenses;

(b) The right to be informed by local law enforcement agencies or the appropriate juvenile authorities of the availability of victim compensation assistance, assistance in obtaining documentation of the victim's losses, including, but not limited to and subject to existing law concerning protected information or closed records, access to copies of complete, unaltered, unedited investigation reports of motor vehicle, pedestrian, and other similar accidents upon request to the appropriate law enforcement agency by the victim or the victim's representative, and emergency crisis intervention services available in the community;

(c) Any release of such person on bond or for any other reason;

(d) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;

(6) For victims, the right to be informed by appropriate juvenile authorities of probation revocation hearings initiated by the juvenile authority and the right to be heard at such hearings or to offer a written statement, video or audio tape, **or a statement by counsel or a representative designated by the victim on behalf of the victim** in lieu of a personal appearance, the right to be informed by the board of probation and parole of probation revocation hearings initiated by the board and of parole hearings, the right to be present at each and every phase of parole hearings [and] , the right to be heard at probation revocation and parole hearings or to offer a written statement, video or audio tape in lieu of a personal appearance, **and the right to have, upon written request of the victim, a partition set up in the probation or parole hearing room in such a way that the victim is shielded from the view of the probationer or parolee**, and the right to be informed by the custodial mental health facility or agency thereof of any hearings for the release of a person committed pursuant to the provisions of chapter 552, RSMo, the right to be present at such hearings, the right to be heard at such hearings or to offer a written statement, video or audio tape, **or a statement by counsel or a representative designated by the victim** in lieu of personal appearance;

(7) For victims and witnesses, upon their written request, the right to be informed by the appropriate custodial authority, including any municipal detention facility, juvenile detention facility, county jail, correctional facility operated by the department of corrections, mental health facility, division of youth services or agency thereof if the offense would have been a felony if committed by an adult, postconviction or commitment pursuant to the provisions of chapter 552, RSMo, of the following:

- (a) The projected date of such person's release from confinement;
- (b) Any release of such person on bond;
- (c) Any release of such person on furlough, work release, trial release, electronic monitoring program, or to a community correctional facility or program or release for any other reason, in advance of such release;

- (d) Any scheduled parole or release hearings, including hearings under section 217.362, RSMo, regarding such person and any changes in the scheduling of such hearings. No such hearing shall be conducted without thirty days' advance notice;

- (e) Within twenty-four hours, any escape by such person from a municipal detention facility, county jail, a correctional facility operated by the department of corrections, mental health facility, or the division of youth services or any agency thereof, and any subsequent recapture of such person;

- (f) Any decision by a parole board, by a juvenile releasing authority or by a circuit court presiding over releases pursuant to the provisions of chapter 552, RSMo, or by a circuit court presiding over releases under section 217.362, RSMo, to release such person or any decision by the governor to commute the sentence of such person or pardon such person;

- (g) Notification within thirty days of the death of such person;

(8) For witnesses who have been summoned by the prosecuting attorney and for victims, to be notified by the prosecuting attorney in a timely manner when a court proceeding will not go on as scheduled;

(9) For victims and witnesses, the right to reasonable protection from the defendant or any person acting on behalf of the defendant from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts;

(10) For victims and witnesses, on charged cases or submitted cases where no charge decision has yet been made, to be informed by the prosecuting attorney of the status of the case and of the availability of victim compensation assistance and of financial assistance and emergency and crisis intervention services available within the community and information relative to applying for such assistance or services, and of any final decision by the prosecuting attorney not to file charges;

(11) For victims, to be informed by the prosecuting attorney of the right to restitution which shall be enforceable in the same manner as any other cause of action as otherwise provided by law;

(12) For victims and witnesses, to be informed by the court and the prosecuting attorney of procedures to be followed in order to apply for and receive any witness fee to which they are entitled;

(13) When a victim's property is no longer needed for evidentiary reasons or needs to be retained pending an appeal, the prosecuting attorney or any law enforcement agency having possession of the property shall, upon request of the victim, return such property to the victim within five working days unless the property is contraband or subject to forfeiture proceedings, or provide written explanation of the reason why such property shall not be returned;

(14) An employer may not discharge or discipline any witness, victim or member of a victim's immediate family for honoring a subpoena to testify in a criminal proceeding, **attending a criminal proceeding**, or for participating in the preparation of a criminal proceeding, **or require any witness, victim, or member of a victim's immediate family**

to use vacation time, personal time, or sick leave for honoring a subpoena to testify in a criminal proceeding, attending a criminal proceeding, or participating in the preparation of a criminal proceeding;

(15) For victims, to be provided with creditor intercession services by the prosecuting attorney if the victim is unable, as a result of the crime, temporarily to meet financial obligations;

(16) For victims and witnesses, the right to speedy disposition of their cases, and for victims, the right to speedy appellate review of their cases, provided that nothing in this subdivision shall prevent the defendant from having sufficient time to prepare such defendant's defense. The attorney general shall provide victims, upon their written request, case status information throughout the appellate process of their cases. The provisions of this subdivision shall apply only to proceedings involving the particular case to which the person is a victim or witness;

(17) For victims and witnesses, to be provided by the court, a secure waiting area during court proceedings and to receive notification of the date, time and location of any hearing conducted by the court for reconsideration of any sentence imposed, modification of such sentence or recall and release of any defendant from incarceration.

2. The provisions of subsection 1 of this section shall not be construed to imply any victim who is incarcerated by the department of corrections or any local law enforcement agency has a right to be released to attend any hearing or that the department of corrections or the local law enforcement agency has any duty to transport such incarcerated victim to any hearing.

3. Those persons entitled to notice of events pursuant to the provisions of subsection 1 of this section shall provide the appropriate person or agency with their current addresses and telephone numbers or the addresses or telephone numbers at which they wish notification to be given.

4. Notification by the appropriate person or agency utilizing the statewide automated crime victim notification system as established in section 650.310, RSMo, shall constitute compliance with the victim notification requirement of this section. If notification utilizing the statewide automated crime victim notification system cannot be used, then written notification shall be sent by certified mail to the most current address provided by the victim.

5. Victims' rights as established in section 32 of article I of the Missouri Constitution or the laws of this state pertaining to the rights of victims of crime shall be granted and enforced regardless of the desires of a defendant and no privileges of confidentiality shall exist in favor of the defendant to exclude victims or prevent their full participation in each and every phase of parole hearings or probation revocation hearings. The rights of the victims granted in this section are absolute and the policy of this state is that the victim's rights are paramount to the defendant's rights. The victim has an absolute right to be present at any hearing in which the defendant is present before a probation and parole hearing officer."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 14** was adopted.

On motion of Representative Pratt, **HCS SB 516, as amended**, was adopted.

On motion of Representative Pratt, **HCS SB 516, as amended**, was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo

Kraus	Kuessner	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 003

Davis Lembke Whorton

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk Haywood Kratky Marsh

Representative Dixon declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 16**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 30**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 3 on **HCS SCS SB 64, as amended**, and has taken up and passed **CCS#3 HCS SCS SB 64**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1** and **HA 2** to **SCS SB 66** and has taken up and passed **SCS SB 66, as amended**.

THIRD READING OF SENATE BILL

HCS#2 SCS SB 313, as amended, relating to consumer protection, was again taken up by Representative Sutherland.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 067

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Witte	Wright-Jones	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Kratky	Marsh	Walton	Wildberger
Zweifel				

On motion of Representative Sutherland, **HCS#2 SCS SB 313, as amended**, was adopted.

On motion of Representative Sutherland, **HCS#2 SCS SB 313, as amended**, was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Mr Speaker				

NOES: 008

Bowman	Dethrow	Harris 110	LeVota	Nasheed
Talboy	Whorton	Wilson 119		

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Kratky	Marsh	Zweifel
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Representative Dixon declared the bill passed.

BILLS IN CONFERENCE

CCR HCS SCS SB 82, as amended, relating to motor vehicles, was taken up by Representative Tilley.

On motion of Representative Tilley, **CCR HCS SCS SB 82, as amended**, was adopted by the following vote:

AYES: 114

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Franz	Grill	Grisamore	Guest
Hobbs	Hodges	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Mr Speaker	

NOES: 043

Baker 25	Bland	Bowman	Brown 50	Burnett
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Fallert	Flook	Frame	George
Harris 23	Harris 110	Haywood	Holsman	Hughes
Johnson	Kuessner	LeVota	Low 39	Lowe 44
Meadows	Nasheed	Oxford	Page	Roorda
Scavuzzo	Skaggs	Spreng	Storch	Talboy
Todd	Vogt	Walsh	Whorton	Wildberger
Wright-Jones	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Kratky	Marsh	Quinn 7	Salva
Schoemehl				

On motion of Representative Tilley, **CCS HCS SCS SB 82** was truly agreed to and finally passed by the following vote:

AYES: 118

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken

Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Franz	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Mr Speaker		

NOES: 039

Baker 25	Bland	Bowman	Burnett	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Fallert	Flook	Frame	George	Harris 23
Hughes	Johnson	Kuessner	LeVota	Low 39
Lowe 44	Meadows	Nasheed	Oxford	Page
Roorda	Scavuzzo	Skaggs	Spreng	Storch
Talboy	Todd	Vogt	Walsh	Whorton
Wildberger	Wright-Jones	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Kratky	Marsh	Quinn 7	Salva
Schoemehl				

Representative Dixon declared the bill passed.

CCR HCS SB 30, as amended, relating to taxation, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **CCR HCS SB 30, as amended**, was adopted by the following vote:

AYES: 099

Baker 123	Bearden	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dixon
Donnelly	Dougherty	Emery	Faith	Fares
Fisher	Franz	Guest	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Lembke	Lipke	Loehner

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May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Young	Zweifel	Mr Speaker	

NOES: 060

Aull	Avery	Baker 25	Bland	Bowman
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Dethrow	Dusenberg	El-Amin
Ervin	Fallert	Flook	Frame	George
Grill	Grisamore	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hughes	Johnson	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Nasheed	Norr
Oxford	Page	Pratt	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Schneider	Skaggs
Spreng	Talboy	Todd	Vogt	Walsh
Walton	Whorton	Wildberger	Yates	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Kratky	Marsh	Salva
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Speaker Jetton resumed the Chair.

On motion of Representative Stevenson, **CCS HCS SB 30** was truly agreed to and finally passed by the following vote:

AYES: 099

Baker 123	Bearden	Bivins	Brandom	Bringer
Bruns	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Emery	Faith	Fares	Fisher
Franz	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Lembke	Lipke	Loehner
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger

Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Young	Zweifel	Mr Speaker	

NOES: 059

Aull	Avery	Baker 25	Bland	Bowman
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Dusenberg
El-Amin	Ervin	Fallert	Flook	Frame
George	Grill	Grisamore	Harris 23	Harris 110
Hodges	Holsman	Hughes	Komo	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Nasheed	Norr	Oxford
Page	Pratt	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Schneider	Skaggs	Spreng
Talboy	Todd	Vogt	Walsh	Walton
Whorton	Wildberger	Yates	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Haywood	Kratky	Marsh	Salva
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Speaker Jetton declared the bill passed.

Representative Dixon resumed the Chair.

The emergency clause was defeated by the following vote:

AYES: 026

Avery	Bowman	Burnett	Cooper 158	Corcoran
Cox	Cunningham 145	Day	Dethrow	Emery
Franz	Hubbard	Hunter	Jones 117	May
McGhee	Pollock	Sater	Scharnhorst	Schoeller
Stream	Viebrock	Wallace	Wasson	Weter
Wood				

NOES: 131

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hughes
Ice	Johnson	Jones 89	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves

Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Scavuzzo
Schaaf	Schad	Schieffer	Schlottach	Schneider
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Walsh	Walton	Wells	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bearden	Funderburk	Haywood	Kratky	Marsh
Salva				

CCR HCS SB 81, as amended, relating to tourism and economic development, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **CCR HCS SB 81, as amended**, was adopted by the following vote:

AYES: 106

Aull	Avery	Bearden	Bivins	Bowman
Brandom	Bringer	Bruns	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	El-Amin	Emery	Faith
Fallert	Fares	Fisher	Franz	Guest
Hobbs	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Lampe	Lembke	Liese	Loehner
Low 39	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Young
Mr Speaker				

NOES: 051

Baker 25	Baker 123	Bland	Brown 30	Brown 50
Burnett	Casey	Cooper 158	Curls	Darrough
Daus	Davis	Donnelly	Dusenber	Ervin

Flook	Frame	George	Grill	Grisamore
Harris 23	Harris 110	Hodges	Johnson	Komo
Kraus	Kuessner	LeVota	Lipke	McClanahan
Meadows	Nasheed	Oxford	Page	Pratt
Quinn 9	Roorda	Scavuzzo	Schoemehl	Shively
Skaggs	Spreng	Todd	Vogt	Walsh
Whorton	Wright 159	Yaeger	Yates	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Haywood	Kratky	Marsh	Robinson
Salva				

On motion of Representative Schlottach, **CCS HCS SB 81** was truly agreed to and finally passed by the following vote:

AYES: 103

Aull	Avery	Bearden	Bivins	Bowman
Brandom	Bringer	Brown 50	Bruns	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Franz	Guest	Hobbs
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Lampe
Lembke	Liese	Loehner	Low 39	Lowe 44
May	McGhee	Meiners	Moore	Munzlinger
Nance	Nieves	Nolte	Norr	Onder
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Young	Mr Speaker		

NOES: 053

Baker 25	Baker 123	Bland	Brown 30	Burnett
Casey	Cooper 158	Cunningham 86	Curls	Darrough
Daus	Davis	Donnelly	Dusenberg	Ervin
Flook	Frame	George	Grill	Grisamore
Harris 23	Harris 110	Hodges	Hughes	Johnson
Komo	Kraus	Kuessner	LeVota	Lipke
McClanahan	Meadows	Muschany	Nasheed	Oxford
Page	Pratt	Quinn 9	Roorda	Scavuzzo
Schoemehl	Shively	Skaggs	Spreng	Todd
Vogt	Walsh	Whorton	Wright 159	Yaeger
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Dougherty	Funderburk	Haywood	Kratky	Marsh
Robinson	Salva			

Representative Dixon declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 026

Avery	Bowman	Cox	Cunningham 145	Day
Hubbard	Hunter	Lampe	May	Meiners
Moore	Nance	Norr	Pollock	Robb
Sater	Scharnhorst	Schlottach	Schoeller	Smith 150
Stevenson	Viebrock	Wallace	Weter	Wood
Wright-Jones				

NOES: 130

Aull	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 86	Curls
Darrough	Daus	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hughes	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	McClanahan	McGhee	Meadows
Munzlinger	Muschany	Nasheed	Nieves	Nolte
Onder	Oxford	Page	Parson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Roorda	Rucker	Ruestman	Ruzicka	Sander
Scavuzzo	Schaaf	Schad	Schieffer	Schneider
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Spreng	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Walsh
Walton	Wasson	Wells	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Dougherty	Funderburk	Haywood	Kratky	Marsh
Robinson	Salva			

CCR HCS SB 25, as amended, relating to services for children, was taken up by Representative Franz.

On motion of Representative Franz, **CCR HCS SB 25, as amended**, was adopted by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Brown 50	Bruns	Cooper 120	Cooper 155
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Franz	Grisamore	Guest
Hobbs	Hoskins	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Cooper 158	Corcoran
Cox	Curls	Darrough	Daus	Donnelly
Fallert	Flook	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hubbard
Hughes	Komo	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	McClanahan	Meadows
Meiners	Nasheed	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zimmerman		

PRESENT: 003

Lowe 44	Robinson	Zweifel
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ABSENT WITH LEAVE: 005

Funderburk	Haywood	Kratky	Marsh	Salva
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On motion of Representative Franz, **CCS HCS SB 25** was truly agreed to and finally passed by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Brown 50	Bruns	Cooper 120	Cooper 155
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Ervin	Faith	Fares	Fisher
Franz	Grisamore	Guest	Hobbs	Hoskins
Iceet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Kraus	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 068

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Cooper 158	Corcoran
Cox	Curls	Darrough	Daus	Donnelly
Dusenberg	El-Amin	Fallert	Flook	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hubbard	Hughes	Komo	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Low 39	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zimmerman		

PRESENT: 003

Lowe 44	Robinson	Zweifel
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ABSENT WITH LEAVE: 005

Funderburk	Haywood	Hunter	Kratky	Marsh
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Representative Dixon declared the bill passed.

CCR HB 574, with Senate Amendment No. 1 and Senate Amendment No. 3, relating to law enforcement system records, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **CCR HB 574, with Senate Amendment No. 1 and Senate Amendment No. 3**, was adopted by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 009

Bringer	Burnett	Cox	Hughes	Munzlinger
Spreng	Talboy	Vogt	Whorton	

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Haywood	Kratky	Liese	Marsh
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On motion of Representative St. Onge, **CCS HB 574** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day

Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roord	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 008

Bringer	Burnett	Cox	Hughes	Munzlinger
Talboy	Vogt	Whorton		

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Haywood	Kratky	Marsh
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Representative Dixon declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Grill	Grisamore	Guest
Harris 23	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	Liese	Lipke	Loehner

Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 020

Bringer	Burnett	Cox	George	Harris 110
Hughes	Kuessner	LeVota	Munzlinger	Quinn 9
Salva	Shively	Skaggs	Spreng	Talboy
Todd	Vogt	Whorton	Wildberger	Wright-Jones

PRESENT: 000

ABSENT WITH LEAVE: 005

Corcoran	Funderburk	Haywood	Kratky	Marsh
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CCR HCS SB 84, as amended, relating to the placement of children, was taken up by Representative Franz.

On motion of Representative Franz, **CCR HCS SB 84, as amended**, was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb

Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Corcoran	Funderburk	Haywood	Kratky	Marsh
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On motion of Representative Franz, **CCS HCS SB 84** was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood

Wright 159 Wright-Jones Yaeger Yates Young
Zimmerman Zweifel Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Corcoran Funderburk Haywood Kratky Marsh

Representative Dixon declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 431**, entitled:

An act to repeal sections 347.137, 351.015, and 351.459, RSMo, and to enact in lieu thereof three new sections relating to business organizations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SB 112, as amended**, and has taken up and passed **HCS SS SB 112, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SCS SB 313, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 497** and has taken up and passed **HCS SCS SB 497**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 582, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS#2 SCS SB 313, as amended, relating to consumer protection, was taken up by Representative Sutherland.

Representative Sutherland moved that the House refuse to recede from its position on **HCS#2 SCS SB 313, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 582, as amended, relating to taxation, was taken up by Representative Sutherland.

Representative Sutherland moved that the House refuse to recede from its position on **HCS SB 582, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HCS#2 SCS SB 313: Representatives Sutherland, Cooper (120) and Wasson

HCS SB 582: Representatives Sutherland, Cooper (120), Stevenson, Storch and Zweifel

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 22, as amended, relating to political subdivisions, was taken up by Representative Schneider.

Representative Schneider moved that the House refuse to recede from its position on **HCS SS SCS SB 22, as amended**, and grant the Senate a conference.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Franz	Grisamore	Guest	Hobbs
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy

Todd	Villa	Vogt	Walsh	Walton
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 014

Corcoran	Dougherty	Flook	Funderburk	Haywood
Johnson	Kratky	Marsh	Robinson	Salva
Schieffer	Whorton	Wildberger	Young	

Representative Schneider again moved that the House refuse to recede from its position on **HCS SS SCS SB 22, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SS SCS SB 22: Representatives Schneider, Denison, Pratt, Villa and Young

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SB 358 - Fiscal Review (Fiscal Note)

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 780

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 6, Senate Amendment No. 8, and Senate Amendment No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 780;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 780, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jay Wasson
/s/ Carl Bearden
/s/ Michael Parson
/s/ Sam Page
/s/ Paul Quinn

FOR THE SENATE:

/s/ Delbert Scott
/s/ Gary Nodler
/s/ Kevin Engler
/s/ Timothy Green
/s/ Harry Kennedy

**CONFERENCE COMMITTEE REPORT NO. 3
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 64**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, with House Amendment No. 3, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4, House Substitute Amendment No. 1 to House Amendment No. 4, as amended, and House Substitute Amendment No. 1 for House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 64;
3. That the attached Conference Committee Substitute No. 3 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 64, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Charlie Shields
/s/ Robert Mayer
/s/ Jeff Smith
/s/ Yvonne Wilson

FOR THE HOUSE:

/s/ Maynard Wallace
/s/ Jane Cunningham
/s/ Scott Muschany
/s/ Joe Aull
/s/ Sara Lampe

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 156**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2, 3, and 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, and House Amendment No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 156;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 156, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler
/s/ Chuck Purgason
/s/ Robert Mayer
/s/ Frank Barnitz
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ John Quinn
/s/ Michael Dethrow
/s/ Steve Hobbs
/s/ Rebecca McClanahan
/s/ Terry Witte

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 308**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, with House Amendment Nos. 1, 2, 3, 5, 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 308;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 308, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jason Crowell
/s/ Charles Shields
/s/ Harry Kennedy
/s/ Yvonne Wilson

FOR THE HOUSE:

/s/ Jay Wasson
/s/ Michael Parson
/s/ Steven Tilley
/s/ Sam Page
/s/ Rebecca Payne McClanahan

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:00 a.m., Thursday, May 17, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-fifth Day, Tuesday, May 15, 2007, Page 2033, Line 7, by deleting the numeral "**642**" and inserting in lieu thereof the numeral "**64**".

AFFIDAVIT

I, State Representative Steve Hodges, District 161, hereby state and affirm that my vote as recorded on the motion to Truly Agree To and Finally Pass Senate Committee Substitute for Senate Bill No. 418 as recorded in the House Journal for May 16, 2007 showing that I was Absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2007.

/s/ Steve Hodges
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 16th day of May in the year 2007.

/s/ Carrie Young
Notary Public

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Thursday, May 17, 2007, Senate Lounge upon morning recess.
Conference Committee on HCS SS SCS SB 429

CONFERENCE COMMITTEE NOTICE

Thursday, May 17, 2007, 12:00 p.m. House Chamber south gallery.
Conference Committee on SS HB 665

CONFERENCE COMMITTEE NOTICE

Thursday, May 17, 2007, Bingham Gallery upon morning recess.
Conference Committee on HCS SB 582

FISCAL REVIEW

Thursday, May 17, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 18, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

HOUSE CALENDAR

SEVENTY-SEVENTH DAY, THURSDAY, MAY 17, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden
- 5 HCS HJR 31 - Lembke

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz
- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)

- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821, HA 1, pending - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HCS HB 425 - Pearce
- 59 HCS HB 429 - Jones (117)
- 60 HCS HB 716 - Davis
- 61 HCS HB 95 - Sater
- 62 HB 479 - Darrough
- 63 HB 733 - Page
- 64 HCS HB 769 - Bruns
- 65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
- 66 HB 1155 - Wright-Jones
- 67 HCS HB 442 - Kingery
- 68 HB 727 - Portwood
- 69 HB 888 - Grisamore
- 70 HCS HB 923 - Kratky
- 71 HB 1251 - Komo
- 72 HCS HB 331 - Lipke
- 73 HCS#2 HB 735 - Cooper (158)
- 74 HCS HB 833 - Wasson
- 75 HB 1104 - Hughes
- 76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
- 77 HCS HB 886 - Schlottach
- 78 HCS HB 869 - Holsman
- 79 HB 1052 - Brown (50)
- 80 HCS HB 1272 - El-Amin
- 81 HCS HB 1023 - Quinn (7)
- 82 HCS HB 1108 - Pratt
- 83 HCS#2 HBs 406 & 726 - Cox
- 84 HCS HB 968 - Bivins
- 85 HB 1034 - Emery

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda
- 10 HCS HCR 5, (5-08-07, Pages 1618-1619) - Burnett

SENATE BILLS FOR THIRD READING

- 1 SB 135 - Kingery
- 2 HCS SCS SB 232 - Cooper (158)
- 3 HCS SCS SB 520 - Hunter
- 4 HCS SBs 593 & SCS SB 594 - May
- 5 SB 648 - Kelly
- 6 HCS SS SCS SB 320 - Quinn (7)
- 7 HCS SB 218 - Deeken
- 8 SB 271 - Pearce
- 9 HCS SS#2 SCS SB 161, (Fiscal Review 5-07-07) - Muschany
- 10 HCS SB 315 - Munzlinger
- 11 HCS SCS SB 52, (Fiscal Review reported Do Not Pass), E.C. - St. Onge
- 12 SB 171 - Wasson
- 13 HCS SCS SB 197 - Yates
- 14 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 15 SS SB 417 - Parson
- 16 HCS SB 419, (Fiscal Review 5-07-07) - Hobbs
- 17 SCS SB 525 - Wasson
- 18 SCS SB 526 - Wasson
- 19 HCS SS SCS SB 5, E.C. - Cox
- 20 HCS SS SCS SB 85 - Dixon
- 21 SS SCS SB 215, HCA 1 - Yates
- 22 HCS SCS SB 299 & SS SCS SB 616, as amended - Cooper (120)
- 23 HCS SB 323 - Baker (25)
- 24 HCS SB 325 - Yates
- 25 HCS SCS SB 328, (Fiscal Review 5-10-07) - Robb
- 26 SB 481 - Pratt
- 27 SCS SB 482 - Bearden

- 28 SB 671 - Pratt
- 29 HCS#2 SCS SB 333 - Cooper (155)
- 30 SS SCS SB 21, E.C. - Schlottach
- 31 HCS SS SB 40 - Ervin
- 32 HCS SCS SBs 45 & 39 - Stevenson
- 33 HCS SCS SB 75 - Day
- 34 HCS#2 SCS SB 163 - Pratt
- 35 HCS SCS SB 368 - Pratt
- 36 HCS SS SCS SB 428, E.C. - Quinn (7)
- 37 SB 605 - St. Onge
- 38 SCS SB 611 - Pratt
- 39 HCS SS SB 654 - Kratky
- 40 SS SCS SB 225 - Munzlinger
- 41 HCS#2 SS SCS SB 3 - Stevenson
- 42 SB 140 - Cunningham (86)
- 43 HCS SS#2 SCS SB 204 - Hobbs
- 44 HCS SS SB 358, (Fiscal Review 5-16-07), E.C. - Jones (117)
- 45 SCS SB 420, E.C. - Richard
- 46 SCS SB 530 - Dempsey
- 47 HCS SB 543 - St. Onge
- 48 HCS SCS SB 664 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HB 134 - Guest
- 2 SCS HCS HB 298 - Cooper (120)
- 3 SS HB 579, E.C. - Dempsey
- 4 SCS HCR 20, (5-14-07, 1892-1894) - Guest
- 5 SS SCS HCS HBs 952 & 674, as amended - Wilson (130)
- 6 SCS HB 801 - Kraus
- 7 SCS HB 215, as amended - Stevenson
- 8 SCS HCS HB 431 - Pratt

BILLS IN CONFERENCE

- 1 SS HB 665, as amended - Ervin
- 2 CCR#2 HCS#2 SB 406, as amended - Wallace
- 3 CCR HCS SB 416 - Pratt
- 4 CCR HCS SCS SB 156, as amended, E.C. - Quinn (7)
- 5 SS SCS HB 255, as amended, E.C. - Bruns
- 6 HCS SCS SB 86, as amended, E.C. - Sutherland
- 7 HCS SS SCS SB 577, as amended, E.C. - Schaaf
- 8 SCS HCS HB 159, (exceed differences/bind conferees) - Bivins
- 9 CCR SS SCS HCS HB 780, as amended - Wasson
- 10 CCR#3 HCS SCS SB 64, as amended - Wallace
- 11 CCR#2 HCS SCS SB 308, as amended - Wasson
- 12 SS HB 744, as amended - St. Onge
- 13 HCS SS SCS SB 429, as amended - Stream
- 14 HCS#2 SCS SB 313, as amended - Sutherland
- 15 HCS SB 582, as amended - Sutherland
- 16 HCS SS SCS SB 22, as amended, E.C. - Schneider

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-SEVENTH DAY, THURSDAY, MAY 17, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, in these last days of the 2007 Session of this body, we ask that Your grace sustain us in the zeal with which we began in January. Help us to give to each topic still on our agenda the attention it deserves. Hold us in the virtue of great integrity, so that our judgments and decisions this week flow from the best of our wisdom and study.

May the work we are accomplishing this Session be like the spring planting, destined to bear fruit aplenty, meeting the needs of the people.

We pray for those who have suffered from the flood waters; we give thanks that not many were harmed and that the waters are returning to their banks. We praise You for these signs of Your care for us.

We pray to You Almighty God, living and reigning forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Peyton Elizabeth Bowman, Lisa Mitchell, Mark Mitchell, Molly Mitchell, Lilly Mitchell and Dalton Tate.

The Journal of the seventy-sixth day was approved as printed.

SPECIAL RECOGNITION

Jerry Oligschlaeger, Doorman for the Missouri House of Representatives, was introduced by Representative Villa and recognized for twenty-two years of service with the House.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SB 161** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 328** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 358** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 419** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

HCS SS SCS SB 320, relating to veterinary student loan assistance, was taken up by Representative Quinn (7).

Representative Pratt assumed the Chair.

Representative Lampe offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 320, Page 1, Section A, Line 5, by inserting immediately after said line the following:

"261.020. The state director of the department of agriculture is hereby constituted the official who has supervision of all the legalized departments of the state which are of a regulatory nature for the advancement of horticulture and agriculture, except after January 1, 1996, he **or she** shall not have direct supervision of the state fair. He **or she** shall cooperate with the college of agriculture of the University of Missouri in all ways beneficial to the horticultural and agricultural interests of the state, without duplicating research, extension or educational work conducted by said college, but nothing herein shall be construed as to subordinate the state department of agriculture to the said college of agriculture. The director has charge of the veterinary service of the state, the appointment of the state veterinarian, and, with the advice of the veterinarian, of deputy veterinarians, and other assistants. The director has the power of reasonable quarantine in relation to the regulatory laws of the state department of agriculture, and the power of quarantine in relation to livestock diseases includes poultry. It is the duty of the director to gather and compile helpful statistics and information, singly or in cooperation with the federal government, relating to horticulture and agriculture, and he **or she** may publish bulletins not duplicating available educational bulletins of the college of agriculture and the United States Department of Agriculture. He **or she** may charge a reasonable amount for any publication distributed by the department of agriculture. Any funds received from the amounts so charged shall be deposited to the credit of the general revenue fund. The director shall make a biennial report to the governor and the general assembly, including the essential information relating to horticulture and agriculture, especially crops and livestock, also data concerning the agricultural organizations of the state, accompanied by recommendations relating to the state department of agriculture and the advancement of agricultural education."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lampe, **House Amendment No. 1** was adopted by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman

Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Bruns	Low 39	Marsh	Meadows
Richard				

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 064

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	Liese	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bruns	LeVota	Low 39	Marsh
Meadows	Rucker	Skaggs		

On motion of Representative Quinn (7), **HCS SS SCS SB 320, as amended**, was adopted.

On motion of Representative Quinn (7), **HCS SS SCS SB 320, as amended**, was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock

Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Bruns	Low 39	Marsh	Meadows
Sater				

Representative Pratt declared the bill passed.

HCS SCS SB 299 & SS SCS SB 616, as amended, relating to liquor control, was taken up by Representative Cooper (120).

Representative Dixon offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, Page 19, Section 311.489, Line 60, by inserting immediately after said line the following:

"311.685. 1. Any retail licensee selling intoxicating liquor or nonintoxicating beer under this chapter or chapter 312, RSMo, and aggrieved by official action of the supervisor affecting the licensee, may bring a civil action against any person who is the proximate cause of such official action by the supervisor, if the violation occurred on or about the premises of the retail licensee. If a judgment is entered in favor of the licensee, the court shall award the retail licensee civil damages up to an amount of five thousand dollars and shall award reasonable court costs and attorney fees.

2. No civil action shall be brought under this section against any employee of the supervisor of alcohol and tobacco control or any law enforcement officer."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dixon, **House Amendment No. 3** was adopted.

Representative Davis offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, Section 311.489, Page 18, Line 19, by inserting after "**3.**" the following:

"(1) Except as otherwise provided in subdivision (2) of this subsection,"; and

Further amend said section and page, Line 25, by inserting after "**However,**" the following:

"except as otherwise provided in subdivision (2) of this subsection,"; and

Further amend said section and page, Line 32, by inserting the following after all of said line:

"(2) Notwithstanding any provision of this subsection to the contrary, the governing municipality may approve the plan with more restrictive hours of operation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Davis moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Schad offered **House Amendment No. 5**.

Representative Skaggs raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Nolte offered **House Amendment No. 6**.

Representative Frame raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 067

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 003

Donnelly Marsh Meadows

On motion of Representative Cooper (120), **HCS SCS SB 299 & SS SCS SB 616, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS SCS SB 299 & SS SCS SB 616, as amended**, was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Brandom	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Day	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley

Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Weter	Wildberger
Wilson 130	Witte	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Mr Speaker	

NOES: 021

Baker 123	Bringer	Cooper 155	Corcoran	Darrough
Davis	Dethrow	Ervin	Harris 110	Kuessner
Nasheed	Pollock	Sater	Schieffer	Skaggs
Stevenson	Wells	Whorton	Wilson 119	Wood
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 003

Hobbs	Marsh	Meadows
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Representative Pratt declared the bill passed.

SS SCS SB 225, relating to hunting heritage protection, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **SS SCS SB 225** was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh

Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Chappelle-Nadal	Dougherty	Meadows	Schaaf	Sutherland
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Representative Pratt declared the bill passed.

BILL IN CONFERENCE

CCR SS SCS HCS HB 780, as amended, relating to professional registration, was taken up by Representative Wasson.

On motion of Representative Wasson, **CCR SS SCS HCS HB 780, as amended**, was adopted by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Ervin	Faith	Fares	Fisher
Frame	Funderburk	George	Grill	Grisamore
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

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NOES: 016

Darrough	Deeken	Dusenberg	Emery	Fallert
Flook	Franz	Guest	Kelly	Lowe 44
Nasheed	Oxford	Quinn 9	Shively	Todd
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Brown 30	Cooper 120	Haywood	Hoskins
Meadows	Schaaf			

On motion of Representative Wasson, **CCS SS SCS HCS HB 780** was read the third time and passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dixon	Donnelly
El-Amin	Ervin	Faith	Fares	Fisher
Frame	Franz	Funderburk	George	Grill
Grisamore	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 016

Brown 50	Darrough	Dethrow	Dusenberg	Emery
Fallert	Flook	Guest	Kelly	Lowe 44
McGhee	Oxford	Quinn 9	Shively	Todd
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman
Schaaf

Dougherty

Haywood

McClanahan

Meadows

Representative Pratt declared the bill passed.

THIRD READING OF SENATE BILL

HCS#2 SCS SB 333, relating to health and senior services, was taken up by Representative Cooper (155).

Representative Cooper (155) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Pages 79 to 85, Sections 197.551, 197.554, 197.557, 197.560, 197.563, 197.566, 197.569, 197.572, 197.575, 197.578, 197.581, 197.584, and 197.587, by deleting all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (155), **House Amendment No. 1** was adopted.

Representative Cooper (155) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 77, Section 194.285, Lines 1-3, by deleting all of said lines and inserting in lieu thereof the following:

“194.285. 1. A person who acts without negligence and in good faith in accordance with sections 194.210 to 194.294 or with the anatomical gift laws of another state or foreign country is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his or her act. A party claiming another person was negligent shall have the burden of proving the claimed negligence.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (155), **House Amendment No. 2** was adopted.

Representative Schad offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 112, Section 620.510, Line 2, by deleting the words **“economic development”** and inserting in lieu thereof the words **“health and senior services”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 3** was adopted.

Representative Bruns offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 46, Section 192.2175, Lines 114 through 117, by deleting all of said lines and inserting in lieu thereof the following:

“288.100, RSMo. **Any person who is employed in a position for**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 4** was adopted.

Representative Bruns offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Section 570.145, Page 111, Line 10, by deleting the open bracket "["; and

Further amend said substitute, said section, said page, Line 11, by deleting the closed bracket "]""; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 5** was adopted.

Representative Cooper (158) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 5, Section 58.451, Line 92, by inserting after the word "on" and before the word "the" the following:

"the coroner to determine"; and

Further amend said bill, Page 7, Section 58.570, Line 71, by inserting after the word "on" and before the word "the" the following:

"The coroner to determine"; and

Further amend said bill, Page 111, Section 570.145, Line 3, by deleting the "[" before the word "with", inserting an "[" before the word "permanently", removing the "]" after the word "deprive" and inserting a "]" after the word "permanently".

On motion of Representative Cooper (158), **House Amendment No. 6** was adopted.

Representative Portwood offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Section 58.785, Page 10, Line 59, by inserting after all of said section, the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. [Beginning August 28, 1994.] Such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) Copying, in an amount [not more than seventeen] **of eighteen** dollars and [five] **forty-nine** cents plus [forty] **forty-four** cents per page for the cost of supplies and labor;

(2) Postage, to include packaging and delivery cost; and

(3) **Certification and** notary fee[, not to exceed two] **of eight** dollars, if **certification is** requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's Internet web site by February first of each year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough raised a point of order that **House Amendment No. 7** is not germane to the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Portwood, **House Amendment No. 7** was adopted.

Representative Zweifel offered **House Amendment No. 8**.

Representative Jones (89) raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Silvey offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 101, Section 199.051, Line 2, by inserting immediately after said line the following:

“208.014. 1. There is hereby established the "Medicaid Reform Commission". The commission shall have as its purpose the study and review of recommendations for reforms of the state Medicaid system. The commission shall consist of ten members:

- (1) Five members of the house of representatives appointed by the speaker; and
- (2) Five members of the senate appointed by the pro tem.

No more than three members from each house shall be of the same political party. The directors of the department of social services, the department of health and senior services, and the department of mental health or the directors' designees shall serve as ex officio members of the commission.

2. Members of the commission shall be reimbursed for the actual and necessary expenses incurred in the discharge of the member's official duties.

3. A chair of the commission shall be selected by the members of the commission.

4. The commission shall meet as necessary.

5. The commission is authorized to contract with a consultant. The compensation of the consultant and other personnel shall be paid from the joint contingent fund or jointly from the senate and house contingent funds until an appropriation is made therefor.

6. The commission shall make recommendations in a report to the general assembly by January 1, 2006, on reforming, redesigning, and restructuring a new, innovative state Medicaid healthcare delivery system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30 et. seq.) as amended, to replace the current state Medicaid system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30, et seq.), which shall sunset on June 30, [2008] **2010**.

208.631. 1. Notwithstanding any other provision of law to the contrary, the department of social services shall establish a program to pay for health care for uninsured children. Coverage pursuant to sections 208.631 to 208.660 is subject to appropriation. The provisions of sections 208.631 to 208.657 shall be void and of no effect after June 30, [2008] **2010**.

2. For the purposes of sections 208.631 to 208.657, "children" are persons up to nineteen years of age. "Uninsured children" are persons up to nineteen years of age who are emancipated and do not have access to affordable employer-subsidized health care insurance or other health care coverage or persons whose parent or guardian have not had access to affordable employer-subsidized health care insurance or other health care coverage for their children for six months prior to application, are residents of the state of Missouri, and have parents or guardians who meet the requirements in section 208.636. A child who is eligible for medical assistance as authorized in section 208.151 is not uninsured for the purposes of sections 208.631 to 208.657.”; and

Further amend said bill, Page 102, Section 208.909, Line 36, by inserting immediately after said section the following:

“208.930. 1. As used in this section, the term "department" shall mean the department of health and senior services.

2. Subject to appropriations, the department may provide financial assistance for consumer-directed personal care assistance services through eligible vendors, as provided in sections 208.900 through 208.927, to each person who was participating as a non-Medicaid eligible client pursuant to sections 178.661 through 178.673, RSMo, on June 30, 2005, and who:

- (1) Makes application to the department;
- (2) Demonstrates financial need and eligibility under subsection 3 of this section;
- (3) Meets all the criteria set forth in sections 208.900 through 208.927, except for subdivision (5) of subsection 1 of section 208.903;
- (4) Has been found by the department of social services not to be eligible to participate under guidelines established by the Medicaid state plan; and

(5) Does not have access to affordable employer-sponsored health care insurance or other affordable health care coverage for personal care assistance services as defined in section 208.900. For purposes of this section, "access to affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium less than or equal to one hundred thirty-three percent of the monthly average premium required in the state's current Missouri consolidated health care plan.

Payments made by the department under the provisions of this section shall be made only after all other available sources of payment have been exhausted.

3. (1) In order to be eligible for financial assistance for consumer-directed personal care assistance services under this section, a person shall demonstrate financial need, which shall be based on the adjusted gross income and the assets of the person seeking financial assistance and such person's spouse.

(2) In order to demonstrate financial need, a person seeking financial assistance under this section and such person's spouse must have an adjusted gross income, less disability-related medical expenses, as approved by the department, that is equal to or less than three hundred percent of the federal poverty level. The adjusted gross income shall be based on the most recent income tax return.

(3) No person seeking financial assistance for personal care services under this section and such person's spouse shall have assets in excess of two hundred fifty thousand dollars.

4. The department shall require applicants and the applicant's spouse, and consumers and the consumer's spouse, to provide documentation for income, assets, and disability-related medical expenses for the purpose of determining financial need and eligibility for the program. In addition to the most recent income tax return, such documentation may include, but shall not be limited to:

- (1) Current wage stubs for the applicant or consumer and the applicant's or consumer's spouse;
- (2) A current W-2 form for the applicant or consumer and the applicant's or consumer's spouse;
- (3) Statements from the applicant's or consumer's and the applicant's or consumer's spouse's employers;
- (4) Wage matches with the division of employment security;
- (5) Bank statements; and
- (6) Evidence of disability-related medical expenses and proof of payment.

5. A personal care assistance services plan shall be developed by the department pursuant to section 208.906 for each person who is determined to be eligible and in financial need under the provisions of this section. The plan developed by the department shall include the maximum amount of financial assistance allowed by the department, subject to appropriation, for such services.

6. Each consumer who participates in the program is responsible for a monthly premium equal to the average premium required for the Missouri consolidated health care plan; provided that the total premium described in this section shall not exceed five percent of the consumer's and the consumer's spouse's adjusted gross income for the year involved.

7. (1) Nonpayment of the premium required in subsection 6 shall result in the denial or termination of assistance, unless the person demonstrates good cause for such nonpayment.

(2) No person denied services for nonpayment of a premium shall receive services unless such person shows good cause for nonpayment and makes payments for past-due premiums as well as current premiums.

(3) Any person who is denied services for nonpayment of a premium and who does not make any payments for past-due premiums for sixty consecutive days shall have their enrollment in the program terminated.

(4) No person whose enrollment in the program is terminated for nonpayment of a premium when such nonpayment exceeds sixty consecutive days shall be reenrolled unless such person pays any past-due premiums as well as current premiums prior to being reenrolled. Nonpayment shall include payment with a returned, refused, or dishonored instrument.

8. (1) Consumers determined eligible for personal care assistance services under the provisions of this section shall be reevaluated annually to verify their continued eligibility and financial need. The amount of financial assistance for consumer-directed personal care assistance services received by the consumer shall be adjusted or eliminated based on the outcome of the reevaluation. Any adjustments made shall be recorded in the consumer's personal care assistance services plan.

(2) In performing the annual reevaluation of financial need, the department shall annually send a reverification eligibility form letter to the consumer requiring the consumer to respond within ten days of receiving the letter and to provide income and disability-related medical expense verification documentation. If the department does not receive the consumer's response and documentation within the ten-day period, the department shall send a letter notifying the consumer that he or she has ten days to file an appeal or the case will be closed.

(3) The department shall require the consumer and the consumer's spouse to provide documentation for income and disability-related medical expense verification for purposes of the eligibility review. Such documentation may include but shall not be limited to the documentation listed in subsection 4 of this section.

9. (1) Applicants for personal care assistance services and consumers receiving such services pursuant to this section are entitled to a hearing with the department of social services if eligibility for personal care assistance services

is denied, if the type or amount of services is set at a level less than the consumer believes is necessary, if disputes arise after preparation of the personal care assistance plan concerning the provision of such services, or if services are discontinued as provided in section 208.924. Services provided under the provisions of this section shall continue during the appeal process.

(2) A request for such hearing shall be made to the department of social services in writing in the form prescribed by the department of social services within ninety days after the mailing or delivery of the written decision of the department of health and senior services. The procedures for such requests and for the hearings shall be as set forth in section 208.080.

10. Unless otherwise provided in this section, all other provisions of sections 208.900 through 208.927 shall apply to individuals who are eligible for financial assistance for personal care assistance services under this section.

11. The department may promulgate rules and regulations, including emergency rules, to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. Any provisions of the existing rules regarding the personal care assistance program promulgated by the department of elementary and secondary education in title 5, code of state regulations, division 90, chapter 7, which are inconsistent with the provisions of this section are void and of no force and effect.

12. The provisions of this section shall expire on June 30, [2008] **2010.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Baker (25) offered **House Amendment No. 1 to House Amendment No. 9.**

*House Amendment No. 1
to
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 1, Line 21, by deleting the number "2006" and inserting in lieu thereof the following "[2006,] **2008, and biannually thereafter,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Baker (25), **House Amendment No. 1 to House Amendment No. 9** was adopted.

On motion of Representative Silvey, **House Amendment No. 9, as amended**, was adopted.

Representative Oxford offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Page 10, Section 58.785, Line 59, by inserting after all of said section and line the following:

"192.331. For the purposes of sections 192.331 to 192.334, the following terms mean:

(1) "Caseload standards", the minimum and maximum number of cases that an employee can reasonably be expected to perform in a normal work month based on the number of cases handled by the employee or the number of different job functions performed by the employee;

(2) "Department", the department of health and senior services;

(3) "Director", the director of the department of health and senior services;

(4) "Professional caseload standards", caseload standards that are established by the director, after consideration of caseload standards established by national setting authorities or caseload standards used in other states which have similar job titles.

192.332. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established in section 192.333, and consistent with existing professional caseload standards.

2. In establishing standards under sections 192.331 to 192.333, the director shall:

- (1) Ensure the standards are based on the actual duties of the employee;**
- (2) Ensure the standards are consistent with existing professional caseload standards; and**
- (3) Consider standards developed by other states for workers in similar positions of employment.**

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's performance evaluation. Any failure to complete assignments that are in excess of specified caseload standards shall not be a factor in determining an employee's eligibility for pay increases.

5. Subject to appropriations, the department shall use the standards established under sections 192.331 to 192.333 to assign caseloads to individual employees.

192.333. 1. The director shall convene, at least annually, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.

192.334. 1. The director shall submit an annual written report to the general assembly that provides data and statistical information regarding the caseloads of employees of the department. The report shall include the following:

- (1) The established caseload standards for employees in each program area of the department as required in section 192.332;**
- (2) The actual caseloads for employees in each program area of the department;**
- (3) A description of the methodology used to compute caseloads for employees in each program area of the department;**
- (4) Indicate whether the statewide average caseloads of department employees exceed the caseload standards established by the department as required in section 192.332.**

2. The director shall make the report available to the public by posting the report on the department's Internet web site."; and

Further amend said bill, Page 114, Section 620.510, Line 66, by inserting after all of said section and line the following:

"630.101. For the purposes of sections 630.101 to 630.104, the following terms mean:

- (1) "Caseload standards", the minimum and maximum number of cases that an employee can reasonably be expected to perform in a normal work month based on the number of cases handled by the employee or the number of different job functions performed by the employee;**
- (2) "Department", the department of mental health;**
- (3) "Director", the director of the department of mental health;**
- (4) "Professional caseload standards", caseload standards that are established by the director, after consideration of caseload standards established by national setting authorities or caseload standards used in other states which have similar job titles.**

630.102. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established under section 630.103, and consistent with existing professional caseload standards.

2. In establishing standards under sections 630.101 to 630.103, the director shall:

- (1) Ensure the standards are based on the actual duties of the employee;**
- (2) Ensure the standards are consistent with existing professional caseload standards; and**
- (3) Consider standards developed by other states for workers in similar positions of employment.**

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's performance evaluation. Any failure to complete assignments that are in excess of specified caseload standards shall not be a factor in determining an employee's eligibility for pay increases.

5. Subject to appropriations, the department shall use the standards established under sections 630.101 to 630.103 to assign caseloads to individual employees.

630.103. 1. The director shall convene, at least annually, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.

630.104. 1. The director shall submit an annual written report to the general assembly that provides data and statistical information regarding the caseloads of employees of the department. The report shall include the following:

- (1) The established caseload standards for employees in each program area of the department as required in section 630.102;**
- (2) The actual caseloads for employees in each program area of the department;**
- (3) A description of the methodology used to compute caseloads for employees in each program area of the department;**
- (4) Indicate whether the statewide average caseloads of department employees exceed the caseload standards established by the department as required in section 630.102.**

2. The director shall make the report available to the public by posting the report on the department's Internet web site."; and

Further amend said bill, Page 115, Section 660.010, Line 51, by inserting after all of said section and line the following:

"660.020. 1. The director shall develop caseload standards based on the actual duties of employees in each program area of the department, after considering recommendations of the caseload standards advisory committee, established pursuant to section 660.021, and consistent with existing professional caseload standards.

2. In establishing standards pursuant to sections 660.019 to 660.021, the director shall:

- (1) Ensure the standards are based on the actual duties of the caseworker;**
- (2) Ensure the standards are consistent with existing professional caseload standards; and**
- (3) Consider standards developed by other states for workers in similar positions of employment.**

3. Such standards shall be used by the director as the basis of the department's personnel budget request to the governor.

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's

performance evaluation. **Any failure to complete assignments that are in excess of specified caseload standards shall not be a factor in determining an employee's eligibility for pay increases.**

5. Subject to appropriations, the department shall use the standards established pursuant to sections 660.019 to 660.021 to assign caseloads to individual employees.

660.021. 1. The director shall convene, at least [biannually] **annually**, a caseload standards committee which shall consist of seven nonsupervisory employees of the department and three division directors of the department or their designees. A representative of the employees' certified majority organization shall also serve on the committee in an advisory capacity, but may not vote on any measure before the committee. The caseload standards advisory committee shall include as nearly as possible employees from each program area of the department.

2. The caseload standards advisory committee shall review professional and other caseload standards and recommendations the committee considers appropriate and recommend to the department minimum and maximum caseloads for each category of workers employed by the department.

660.022. 1. The director shall submit an annual written report to the general assembly that provides data and statistical information regarding the caseloads of employees of the department. The report shall include the following:

- (1) The established caseload standards for employees in each program area of the department as required in section 660.020;**
- (2) The actual caseloads for employees in each program area of the department;**
- (3) A description of the methodology used to compute caseloads for caseworkers in each program area of the department;**
- (4) Indicate whether the statewide average caseloads of department caseworkers exceed the caseload standards established by the department as required in section 660.020.**

2. The director shall make the report available to the public by posting the report on the department's Internet web site."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 10** be adopted.

Which motion was defeated.

Representative Page offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 333, Section 198.006, Page 89, Line 141, by inserting after all of said line the following:

"198.069. For any resident of an assisted living facility who is released from a hospital or skilled nursing facility and returns to an assisted living facility as a resident, such resident's assisted living facility shall immediately, upon return, implement physician orders in the hospital or discharge summary, and within twenty-four hours of the patient's return to the facility, review and document such review of any physician orders related to the resident's hospital discharge care plan or the skilled nursing facilities discharge care plan and modify the individual service plan for the resident accordingly. The department of health and senior services may adjust personal care units authorized as described in subsection 14 of section 208.152, RSMo, upon the effective date of the physicians orders to reflect the services required by such orders."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 11** was adopted.

Representative Fallert offered **House Amendment No. 12**.

Representative Jones (89) raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 060

Baker 25	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Page	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Villa	Vogt	Walsh	Whorton
Witte	Wright-Jones	Young	Zimmerman	Zweifel

PRESENT: 003

Aull	Dougherty	Todd
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ABSENT WITH LEAVE: 009

Bowman	Cooper 120	Darrough	Meadows	Oxford
Salva	Walton	Wildberger	Yaeger	

On motion of Representative Cooper (155), **HCS#2 SCS SB 333, as amended**, was adopted.

On motion of Representative Cooper (155), **HCS#2 SCS SB 333, as amended**, was read the third time and passed by the following vote:

AYES: 151

Avery	Baker 25	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Harris 110	Onder	Sander	Schoeller
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PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Bowman	Cooper 120	El-Amin	Hunter
McClanahan	Meadows	Schaaf		

Representative Pratt declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 329**, entitled:

An act to repeal sections 425.010 and 425.020, RSMo, and to enact in lieu thereof four new sections relating to debt adjusters, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 583**, entitled:

An act to repeal sections 191.225, 431.056, 565.072, 595.030, 595.036, 595.209, RSMo, and to enact in lieu thereof twenty new sections relating to crime victims, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 583, Page 9, Section 455.038, Line 25, by inserting immediately after said line the following:

"537.047. 1. Any person who, while a child or minor as defined by section 573.010, RSMo, was a victim of a violation of sections 573.023, 573.025, 573.035, or 573.037, RSMo, and who suffers physical or psychological injury or illness as a result of such violation, shall be entitled to bring a civil action to recover the actual damages sustained as a result of the violation, and shall also be entitled to recover the costs of the civil action and reasonable fees for attorneys and expert witnesses. A psychological injury or illness as described under this section need not be accompanied by physical injury or illness.

2. Any action described under this section shall be commenced within ten years of the plaintiff attaining the age of twenty-one, or within three years of the date the plaintiff discovers that the injury or illness was caused by the violation of an offense enumerated in subsection one of this section, whichever later occurs.

3. A cause of action under this section may arise only if the violation that caused the injury occurs on or after August 28, 2007."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 820**, entitled:

An act to repeal section 546.720, RSMo, and to enact in lieu thereof one new section relating to administration of the death penalty, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 22, as amended**: Senators Griesheimer, Engler, Goodman, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SCS SB 313, as amended**: Senators Scott, Lager, Engler, Kennedy and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 516, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 582, as amended**: Senators Shoemyer, Griesheimer, Nodler, Vogel and Callahan.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 516, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HCS SB 516, as amended, relating to judicial personnel and proceedings, was taken up by Representative Pratt.

Representative Pratt moved that the House refuse to recede from its position on **HCS SB 516, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS#2 SS SCS SB 3, relating to mental health reform, was taken up by Representative Stevenson.

Representative Stevenson offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Portwood offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3, Page 3, Section 565.214, Line 27, by inserting after all of said line the following:

“4. Nothing in this section shall be construed to mean that a vulnerable person is abused solely because such person chooses to rely on spiritual means through prayer, in lieu of medical care, for his or her health care, as evidenced by the vulnerable person’s explicit consent, advance directive for health care, or practice.”; and

Further amend said bill, Page 4, Section 565.218, Line 20, by inserting immediately following the period “:” the following:

“Notwithstanding any other provision of this section, a duly ordained minister, clergy, religious worker, or Christian Science practitioner while functioning in his or her ministerial capacity shall not be required to report concerning a privileged communication made to him or her in his or her professional capacity.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 2** was adopted.

Representative Icet offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3, Page 1, Section A, Line 5, by inserting after all of said section the following:

"208.225. 1. To implement fully the provisions of section 208.152, the division of medical services shall calculate the Medicaid per diem reimbursement rates of each nursing home participating in the Medicaid program as a provider of nursing home services based on its costs reported in the Title XIX cost report filed with the division of medical services for its fiscal year as provided in subsection 2 of this section.

2. The recalculation of Medicaid rates to all Missouri facilities will be performed as follows: effective July 1, 2004, the department of social services shall use the Medicaid cost report containing adjusted costs for the facility fiscal year ending in 2001 and redetermine the allowable per-patient day costs for each facility. The department shall recalculate the class ceilings in the patient care, one hundred twenty percent of the median; ancillary, one hundred twenty percent of the median; and administration, one hundred ten percent of the median cost centers. Each facility shall receive as a rate increase one-third of the amount that is unpaid based on the recalculated cost determination.

3. For a facility new to the Medicaid program that did not have a Medicaid cost report for the year ending 2001, its Medicaid per diem reimbursement rate shall be calculated from its fiscal year cost report which covers the second twelve-month fiscal year following the facility's initial date of Medicaid certification using the class ceilings of this section. This prospective rate shall be retroactive to the beginning of the first day of the facility's second full twelve-month fiscal year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Icet, **House Amendment No. 3** was adopted.

HCS#2 SS SCS SB 3, as amended, was laid over.

Speaker Jetton resumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 516, as amended**: Senators Goodman, Bartle, Crowell, Barnitz and Justus.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HCS SCS SB 86: Representatives Sutherland, Cooper (120), Stevenson, Chappelle-Nadal and Zweifel

HCS SB 516: Representatives Pratt, Flook, Smith (150), Burnett and Johnson

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILL

HCS#2 SS SCS SB 3, as amended, relating to mental health reform, was again taken up by Representative Stevenson.

On motion of Representative Stevenson, **HCS#2 SS SCS SB 3, as amended**, was adopted.

On motion of Representative Stevenson, **HCS#2 SS SCS SB 3, as amended**, was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 003

Emery Hunter Whorton

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman Curls Meadows Nieves Rucker
Spreng Viebrock Walton Wasson

Speaker Pro Tem Bearden declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HBs 952 & 674, as amended, relating to long-term care facilities, was taken up by Representative Wilson (130).

Representative Dixon assumed the Chair.

On motion of Representative Wilson (130), **SS SCS HCS HBs 952 & 674, as amended**, was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Curls	Hughes	Meadows	Roorda
Spreng	Viebrock	Walton	Wright-Jones	

On motion of Representative Wilson (130), **SS SCS HCS HBs 952 & 674, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Iceet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Meadows	Schaaf	Spreng	Viebrock	Walton
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Representative Dixon declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 315, relating to liability for agricultural damage, was taken up by Representative Munzlinger.

Representative Munzlinger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 315, Section 260.546, Page 3, Line 51, by inserting immediately after said line the following:

"260.1003. As used in sections 260.1000 to 260.1039, the following terms shall mean:

(1) "Activity and use limitations", restrictions or obligations with respect to real property created under sections 260.1000 to 260.1039;

(2) "Common interest community", a condominium, cooperative, or other real property with respect to which a person, by virtue of the person's ownership of a parcel of real property, is obligated to pay property taxes, insurance premiums, maintenance, or improvement of other real property described in a recorded covenant that creates the common interest community;

(3) "Department", the department of natural resources or any other state or federal department that determines or approves the environmental response project under which the environmental covenant is created;

(4) "Environmental covenant", a servitude arising under an environmental response project that imposes activity and use limitations;

(5) "Environmental response project", a plan or work performed for environmental remediation of real property and conducted:

(a) Under a federal or state program governing environmental remediation of real property, including but not limited to the Missouri hazardous waste management law as specified in this chapter;

(b) Incident to closure of a solid or hazardous waste management unit, if the closure is conducted with approval of the department; or

(c) Under a state voluntary cleanup program authorized in the Missouri hazardous waste management law as specified in this chapter;

but shall not include plans or work performed for environmental remediation of releases from aboveground storage tanks or underground storage tanks as defined in section 319.100, RSMo;

(6) "Holder", the grantee of an environmental covenant as specified in section 260.1006;

(7) "Person", an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, governmental subdivision, department, or instrumentality, or any other legal or commercial entity;

(8) "Record", information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(9) "State", a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

260.1012. 1. An environmental covenant that complies with sections 260.1000 to 260.1039 shall run with the land.

2. An environmental covenant that is otherwise effective is valid and enforceable even if:

(1) It is not appurtenant to an interest in real property;

(2) It can be or has been assigned to a person other than the original holder;

(3) It is not of a character that has been recognized traditionally at common law;

(4) It imposes a negative burden;

(5) It imposes an affirmative obligation on a person having an interest in the real property or on the holder;

(6) The benefit or burden does not touch or concern real property;

(7) There is no privity of estate or contract;

(8) The holder dies, ceases to exist, resigns, or is replaced; or

(9) The owner of an interest subject to the environmental covenant and the holder are the same person.

3. An instrument that creates restrictions or obligations with respect to real property that would qualify as activity and use limitations except for the fact that the instrument was recorded before the effective date of sections 260.1000 to 260.1039 is not invalid or unenforceable because of any of the limitations on enforcement of interests described in subsection 2 of this section or because it was identified as an easement, servitude, deed restriction, or other interest. Sections 260.1000 to 260.1039 do not apply in any other respect to such an instrument.

4. Sections 260.1000 to 260.1039 do not invalidate or render unenforceable any interest, whether designated as an environmental covenant or other interest, that is established or required by a constitutionally created state agency or federal agency."; and

Further amend said substitute by amending the title, enacting clause, and intersectional references accordingly.

HCS SB 315, with House Amendment No. 1, pending, was laid over.

HCS SS#2 SCS SB 161, relating to elementary and secondary education, was taken up by Representative Muschany.

Representative Muschany offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Pages 1 and 2, Section 160.041, Lines 1 to 13; Pages 2 to 4, Section 160.400, Lines 1 to 82; Page 4, Section 160.480, Lines 1 to 18; Pages 4 to 5, Section 161.375, Lines 1 to 34; Pages 5 to 6, Section 161.720, Lines 1 to 22; Pages 6 to 9, Section 162.1031, Lines 1 to 104; Pages 9 to 10, Section 162.1110, Lines 1 to 25; Page 10, Section 163.051, Lines 1 to 10; Pages 10 to 12, Section 167.031, Lines 1 to 81; Pages 12 to 15, Section 167.128, Lines 1 to 101; Pages 15 to 17, Section 167.231, Lines 1 to 74; Pages 21 to 22, Section 168.104, Lines 1 to 37; Page 22, Section 168.114, Lines 1 to 15; Page 22, Section 168.135, Lines 1 to 10; Pages 22 to 23, Section 168.138, Lines 1 to 8; Pages 23 to 24, Section 168.215, Lines 1 to 43; by striking said all of sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Section 168.114, Page 1, Line 10, by inserting the following after all of said line:

"168.133. 1. The school district shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district shall also ensure that a criminal background check is conducted for school bus drivers. The district may allow such drivers to operate buses pending the result of the criminal background check. For bus drivers, the background check shall be conducted on drivers employed by the school district or employed by a pupil transportation company under contract with the school district.

2. In order to facilitate the criminal history background check on any person employed after January 1, 2005, the applicant shall submit two sets of fingerprints collected pursuant to standards determined by the Missouri highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the family care safety registry pursuant to sections 210.900 to 210.936, RSMo, and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

3. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

4. The school district may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530, RSMo.

5. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

6. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

7. For any teacher who is employed by a school district on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district from requiring additional background checks for such teachers employed by the school district.

8. A criminal background check and fingerprint collection conducted under subsections 1 and 2 of this section shall be valid for a period of at least one year and transferrable from one school district to another district. A teacher's change in type of certification shall have no effect on the transferability of such records.

9. Nothing in this section shall be construed to alter the standards for suspension, denial, or revocation of a certificate issued pursuant to this chapter.

[9.] 10. The state board of education may promulgate rules for criminal history background checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SS#2 SCS SB 161, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, was laid over.

Speaker Jetton resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 69**, entitled:

An act to repeal sections 21.750, 41.655, 50.327, 50.333, 50.565, 50.1250, 52.290, 52.312, 52.315, 52.317, 57.113, 58.451, 58.500, 58.510, 58.720, 64.620, 64.890, 64.940, 65.677, 66.010, 67.320, 67.797, 67.1360, 67.1451, 67.1545, 67.2500, 67.2510, 70.220, 70.515, 70.545, 72.080, 79.050, 79.370, 84.120, 84.170, 86.590, 87.006, 89.010, 89.400, 94.660, 94.837, 99.805, 100.050, 100.059, 105.483, 108.170, 110.130, 110.140, 110.150, 141.150, 141.640, 144.030, 144.062, 144.757, 144.759, 162.431, 190.305, 210.861, 238.202, 238.207, 238.208, 238.225, 238.230, 238.275, 246.005, 304.015, 311.174, 313.055, 313.057, 320.200, 320.271, 320.310, 392.410, 393.705, 393.710, 393.715, 393.720, 393.829, 409.107, 432.070, 451.040, 473.743, 479.010, 479.011, 650.396, and 650.399, RSMo, section 67.1000 as enacted by senate committee substitute for senate bill no. 820, eighty-ninth general assembly, second regular session, section 67.1000 as enacted by house bill no. 1587, eighty-ninth general assembly, second regular session, section 67.2505 as enacted by conference committee substitute for senate substitute for senate committee substitute for house

committee substitute for house bill nos. 795, 972, 1128 & 1161 merged with house substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and section 67.2505 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 833 merged with house committee substitute for senate substitute for senate bill no. 732, ninety-second general assembly, second regular session, and sections 21.750, 99.812, and 144.054, as Truly Agreed To and Finally Passed by the first regular session of the ninety-fourth general assembly in Senate Committee Substitute for House Committee Substitute for House Bill No. 327, and to enact in lieu thereof one hundred thirty-nine new sections relating to political subdivisions, with penalty provisions and emergency clauses for certain sections.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 69, Page 190, Section 190.305, Lines 5-10 of said page, by striking said lines and inserting in lieu thereof the following:

"to sections 190.327 and 190.328. **The board of any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants shall provide services to a city located in more than one county only after making an agreement or contracting with the city for such services, provided that any agreement or contract in effect, as of January 1, 2006, shall continue until such time as a successor agreement or contract is entered into by the board and city and such agreement or contract is to provide services for a period of three or more years.**".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 98**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 596**, entitled:

An act to repeal sections 94.660, 226.527, 226.530, 226.580, 227.107, 238.202, 238.207, 238.208, 238.210, 238.225, 238.230, 238.275, 301.010, 301.030, 301.040, 301.131, 301.150, 301.301, 301.310, 301.420, 301.440, 301.640, 301.716, 302.010, 302.272, 302.275, 302.321, 302.545, 302.700, 302.720, 302.755, 302.775, 303.415, 304.015, 304.022, 304.070, 304.170, 304.180, 304.230, 304.281, 307.010, 307.015, 307.090, 307.100, 307.120, 307.125, 307.155, 307.172, 307.173, 307.179, 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 311.326, 390.030, 390.071, 390.136, 407.730, 407.732, 407.815, 556.021, 577.029, 577.039, and 622.095, RSMo, and to enact in lieu thereof ninety-one new sections relating to transportation, with penalty provisions, an effective date for certain sections, and an emergency clause for certain sections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 596, Page 114, Section 304.230, Line 11 of said page, by striking the following:

"If the"; and

Further amend Lines 12-28 of said page, by striking all of said lines; and

Further amend said bill and section, Page 115, Lines 1-12 of said page, by striking all of said lines.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 596, Page 54, Section 301.040, Line 14, by inserting after all of said line, the following:

"301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle except as provided in this subsection. The applicant for registration of any property-carrying commercial motor vehicle may request and be issued two license plates for such vehicle, and if such plates are issued the director of revenue may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letter "D" preceding the number, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. **Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired.** License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. Commencing January 1, 2009, the director of revenue shall cause to be reissued new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire between January 1, 2009, and December 31, 2011, applicants for registration of trailers or semitrailers with license plates that expire between January 1, 2009, and December 31, 2011, and applicants for registration of vehicles that are to be issued new license plates shall pay an additional fee, based on the actual cost of the reissuance, to cover the cost of the newly reissued plates required by this subsection. The additional fee prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 619 & 118**, entitled:

An act to amend chapter 41, RSMo, by adding thereto one new section relating to the civil air patrol.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 619 & 118, Page 2, Section 41.970, Line 38, by inserting immediately after "supporting" the following:

"the department of public safety or".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 654 & 938**, entitled:

An act to repeal section 313.835, RSMo, and to enact in lieu thereof two new sections relating to veterans, with penalty provisions.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 654 & 938, Page 1, Section A, Line 2, by inserting after all of said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
- (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;
- (7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes; [and]
- (8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverts, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:
 - (a) The right of the interstate compact agency to use, control, and possess the property is terminated;
 - (b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and
 - (c) There are no provisions for reverter of the property within the limitation period for reverts;
- (9) **All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated**

in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended.

137.101. 1. The activities of nationally affiliated fraternal, benevolent, [veteran,] or service organizations which promote good citizenship, humanitarian activities, or improve the physical, mental, and moral condition of an indefinite number of people [or] **are** purposes purely charitable within the meaning of subsection 1 of section 6 of article X of the constitution and local assessing authorities may exempt such portion of the real and personal property of such organizations as the assessing authority may determine is utilized in purposes purely charitable from the assessment, levy, and collection of taxes.

2. If, at any time, an assessor finally determines, after any and all hearings or rightful appeals, that personal property, upon which an organization would otherwise owe taxes but for the provisions of subsection 1 of this section or subdivision (5) of section 137.100, is not used for purposes purely charitable, or for purposes described in subdivision (5) of section 137.100, then the assessor shall notify the department of revenue of such final determination within thirty days."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SS SCS SB 3, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 299 & SS SCS SB 616, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

SS HB 744: Representatives St. Onge, Schlottach, Cooper (120), Kuessner and Daus

Representative Dixon resumed the Chair.

THIRD READING OF SENATE BILL

HCS SS#2 SCS SB 161, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, relating to elementary and secondary education, was again taken up by Representative Muschany.

On motion of Representative Bringer, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin

Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Dougherty	Meadows	Richard	Salva
Schneider	Spreng	Viebrock	Wildberger	

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Thomson	Threlkeld	Tilley	Wallace

Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 066

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Dougherty	Meadows	Schaaf	Spreng
Sutherland	Viebrock	Zweifel		

On motion of Representative Muschany, **House Amendment No. 1, as amended**, was adopted.

Representative Pratt resumed the Chair.

Representative Muschany offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 18, Section 168.021, Lines 26 to 42, by deleting all of said lines and inserting in lieu thereof the following:

"(4) By the state board, under rules and regulations prescribed by it for a pilot program to run through school year 2011-2012, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) in all certification areas available for grades nine through twelve and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a public, private or charter school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE professional certificate of license to teach. Upon completion of the requirements listed in paragraphs (a), (b), (c), (d), and (e) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

- (a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;**
- (b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;**
- (c) Attainment of a successful performance-based teacher evaluation;**
- (d) Participation in a beginning teacher assistance program; and**

(e) **Successful attainment of the Missouri qualifying score on the exit assessment for teachers designated by the state board of education within two years**"; and

Further amend said section, Page 19, Line 68, by deleting the words "**and (c)**" and inserting in lieu thereof the following:

"(c), (d), and (e)"; and

Further amend said bill, Page 26, Section 210.205, Line 11, by inserting after the word "**system.**" the following:

"Adoption of any quality rating system shall be accomplished through the rule-making process under chapter 536, RSMo."; and

Further amend said bill, Page 26, Section 210.205, Line 18, by deleting the word "**outcomes.**" and inserting in lieu thereof the following:

"outcomes; and

(4) Permit the appeal of any rating to the department of social services through an appeals process established by rule.

3. The quality rating system shall be:

(1) Voluntary for facilities that are licensed under sections 210.201 to 210.259, and do not receive the child care subsidy under chapter 208, RSMo, or any other state funds;

(2) Mandatory for facilities that are licensed under sections 210.201 to 210.259, and receive a child care subsidy under chapter 208, RSMo, or any other state funds;

(3) Voluntary for facilities that are license-exempt under the exceptions described in section 210.211 to 210.259. A license-exempt facility under the exceptions described in section 210.211 may be rated with an explanation that it is rated but license-exempt."; and

Further amend said bill by renumbering the remaining subsections accordingly; and

Further amend said section, Page 27, Lines 56 and 57, by deleting all of said lines and inserting in lieu thereof the following:

"7. For purposes of this section, "early childhood program" shall mean programs that are both centered and home-based and providing services for children from birth to kindergarten."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 2** is out of order pursuant to Rule 84.

Representative Pratt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Dixon offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 2, Line 7 of said amendment, by inserting immediately after the word "RSMo." the following:

"Any adopted rating system shall not award or diminish rating scores for any facility based on criteria that are consistent with the facility's religious beliefs by laws or mission statement as long as such beliefs by laws or mission statement do not result in practices that constitute a violation of state law or local ordinance, nor shall such practices affect a facility's eligibility for child care subsidies or grants under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dixon, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 133

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 023

Burnett	Chappelle-Nadal	Corcoran	Darrough	Daus
Fares	Haywood	Hughes	Johnson	LeVota
Low 39	Lowe 44	Nasheed	Oxford	Robinson
Roorda	Skaggs	St. Onge	Talboy	Vogt
Whorton	Wright-Jones	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bland	Harris 23	Kratky	Loehner	Meadows
Spreng	Viebrock			

Representative Storch requested a division of the question on **House Amendment No. 2, as amended.**

Representative Nieves assumed the Chair.

House Amendment No. 2

PART I

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 18, Section 168.021, Lines 26 to 42, by deleting all of said lines and inserting in lieu thereof the following:

"(4) By the state board, under rules and regulations prescribed by it for a pilot program to run through school year 2011-2012, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) in all certification areas available for grades nine through twelve and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a public, private or charter school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE professional certificate of license to teach. Upon completion of the requirements listed in paragraphs (a), (b), (c), (d), and (e) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation;

(d) Participation in a beginning teacher assistance program; and

(e) Successful attainment of the Missouri qualifying score on the exit assessment for teachers designated by the state board of education within two years"; and

Further amend said section, Page 19, Line 68, by deleting the words "**and (c)**" and inserting in lieu thereof the following:

"(c), (d), and (e)"; and

Representative Storch offered **House Amendment No. 1 to Part I.**

Representative Muschany raised a point of order that **House Amendment No. 1 to Part I** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative El-Amin assumed the Chair.

Representative Nieves resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery
Brown 30

Baker 123
Bruns

Bearden
Cooper 120

Bivins
Cooper 155

Brandom
Cooper 158

Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 068

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Day	Meadows	Schaaf	Spreng
Viebrock				

On motion of Representative Muschany, **Part I of House Amendment No. 2** was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Muschany
Nieves	Nolte	Onder	Parson	Pearce

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Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Rucker	Ruestman	Ruzicka	Sander
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Yates	Zweifel	Mr Speaker

NOES: 064

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Moore	Nance
Nasheed	Norr	Oxford	Quinn 9	Robinson
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Smith 150	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright 159
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 008

Bland	Day	Meadows	Page	Sater
Schaaf	Spreng	Viebrock		

HCS SS#2 SCS SB 161, as amended, with Part II of House Amendment No. 2, as amended, pending, was laid over.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 299 & SS SCS SB 616, as amended, relating to liquor control, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that the House refuse to recede from its position on **HCS SCS SB 299 & SS SCS SB 616, as amended,** and grant the Senate a conference.

Which motion was adopted.

HCS#2 SS SCS SB 3, as amended, relating to mental health reform, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to recede from its position on **HCS#2 SS SCS SB 3, as amended,** and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

HCS#2 SS SCS SB 3: Representatives Stevenson, Icet, Portwood, Corcoran and Walsh

HCS SCS SB 299 & SS SCS SB 616: Representatives Cooper (120), Pratt, Tilley, Talboy and Villa

Representative Nieves resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HB 574 with Senate Amendment No. 1 and Senate Amendment No. 3**, and has taken up and passed **CCS HB 574**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 780, as amended**, and has taken up and passed **CCS SS SCS HCS HB 780**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 320, as amended**, and has taken up and passed **HCS SS SCS SB 320, as amended**.

SUPPLEMENTAL CALENDAR

MAY 17, 2007

SENATE BILL FOR THIRD READING

SB 164, HCA 1 - Wasson

On motion of Representative Dempsey, the House recessed until 7:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3766 through House Resolution No. 3795

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 24**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 125**, entitled:

An act to repeal sections 50.327, 52.290, 52.312, 52.315, 52.317, 52.361, 52.370, 55.140, 55.190, 139.031, 139.140, 139.150, 139.210, 139.220, 140.050, 140.070, 140.080, 140.160, 140.230, 140.250, 140.260, 140.290, 140.310, 140.340, 140.405, 140.420, 140.730, 141.150, 141.440, 141.500, 141.540, 141.640, 165.071, and 301.025, RSMo, and to enact in lieu thereof thirty-nine new sections relating to county collectors, with penalty provisions.

With Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 125, Pages 7-9, Section(s) 52.450, 52.455, 52.460, 52.465 and 52.470, by deleting all of said sections; and

Further amend said bill, Page 21, Section 140.250, Lines 12-13, by deleting the following:

“Any surplus shall be paid to county treasury.”; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 2*

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Bill No. 125, Pages 1-2, Section 50.327, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 125, Page 2, Section 50.327, Line 26, by inserting after all of said line the following:

"52.240. **1.** The statement and receipt required by section 52.230 shall be mailed to the address of the taxpayer as shown by the county assessor on the current tax books, and postage for the mailing of the statements and receipts shall be furnished by the county commission. The failure of the taxpayer to receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax liability **and penalties and interest** imposed on him by law. **However, no penalty and interest, including that imposed under this chapter and chapters 139 and 140, RSMo, shall be charged on real property tax when there is clear and convincing evidence that an error or omission was made by the county in determining taxes owed by a taxpayer.**

2. The county commission shall have the authority to refund penalties, interest, and taxes if the county made an error or omission. If a taxpayer believes that an error or omission has occurred and discovers the error or omission after December thirty-first and the taxpayer has not paid current year taxes owing, the taxpayer shall pay the taxes along with any penalties or interest due and owing. The taxpayer may then submit a request for a refund of penalties, interest, or taxes, in writing, to the county commission. If the county commission approves the refund of penalties, interest, or taxes, then such refunds approved by the county commission shall be handled under subsection 5 of section 139.031, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 125, Page 7, Section 52.370, Lines 8-11 of said page, by striking the following:

", except any county of the first classification with more than one hundred eight-four thousand but fewer than one hundred eighty-eight thousand inhabitants,"; and

Further Line 15 of said page, by inserting at the end of said line the following:

"The collector shall provide a report to the county auditor each time electronic transfers are completed."

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 125, Page 9, Section 55.140, Lines 8-18 of said page, by striking all of said section from the bill; and

Further amend said bill, Pages 9-10, Section 55.190, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 184**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 686**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the Conference Committee on **SS HB 744, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SS SCS SB 3, as amended**: Senators Gibbons, Shields, Purgason, Justus and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS#2 SS SCS SB 3, as amended**, and has taken up and passed **CCS HCS#2 SS SCS SB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the Conference Committee Report on **HCS SCS SB 86, as amended**, and requests the House to grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the Conference Committee Report on **HCS SCS SB 156, as amended**, and requests the House to grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 308, as amended**, and has taken up and passed **CCS#2 HCS SCS SB 308**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 299 & SS SCS SB 616, as amended**: Senators Purgason, Griesheimer, Engler, McKenna and Wilson.

BILLS IN CONFERENCE

CCR#3 HCS SCS SB 64, as amended, relating to elementary and secondary education, was taken up by Representative Wallace.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 064

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 009

Bland	Bowman	Day	El-Amin	Marsh
Schoemehl	Spreng	Viebrock	Wright-Jones	

On motion of Representative Wallace, **CCR#3 HCS SCS SB 64, as amended**, was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Bringer	Daus	Haywood	Lowe 44	Nasheed
Oxford	Swinger	Todd	Witte	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bowman	Day	El-Amin	Marsh
Schoemehl	Spreng	Viebrock		

On motion of Representative Wallace, **CCS#3 HCS SCS SB 64** was truly agreed to and finally passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 010

Bringer	Daus	Haywood	Lowe 44	Nasheed
Oxford	Swinger	Todd	Vogt	Witte

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bowman	Cooper 155	Day	El-Amin
Marsh	Page	Salva	Schoemehl	Spreng
Viebrock	Zimmerman			

Speaker Pro Tem Bearden declared the bill passed.

CCR HCS SB 416, relating to adverse possession of certain lands, was taken up by Representative Pratt.

On motion of Representative Pratt, **CCR HCS SB 416** was adopted by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 003

Harris 110	Haywood	Whorton
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PRESENT: 002

Darrough	Oxford
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ABSENT WITH LEAVE: 011

Bland	Bowman	Day	El-Amin	Marsh
Meadows	Page	Schoemehl	Spreng	St. Onge
Viebrock				

On motion of Representative Pratt, **CCS HCS SB 416** was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120

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Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 002

Darrough Oxford

ABSENT WITH LEAVE: 016

Bland	Bowman	Day	El-Amin	Fares
Funderburk	Hoskins	Hunter	Marsh	Page
Quinn 7	Schoemehl	Spreng	St. Onge	Viebrock
Vogt				

Speaker Pro Tem Bearden declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HB 134, relating to equipment grants, was taken up by Representative Guest.

On motion of Representative Guest, **SS HB 134** was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith

Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Haywood

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Day	El-Amin
Marsh	Page	Salva	Schaaf	Schoemehl
Spreng	Stream	Viebrock	Vogt	Wasson
Wildberger				

On motion of Representative Guest, **SS HB 134** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May

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McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Haywood

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bowman	Day	Hughes	Marsh
Page	Schaaf	Schoemehl	Spreng	Viebrock
Wasson				

Speaker Pro Tem Bearden declared the bill passed.

SCS HCS HB 298, relating to Missouri Blasting Safety Act, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **SCS HCS HB 298** was adopted by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder

Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bowman	Day	Marsh	Page
Schaaf	Schoemehl	Spreng	Viebrock	Wasson

On motion of Representative Cooper (120), **SCS HCS HB 298** was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood

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Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bowman	Bruns	Day	Hunter
Marsh	Schoemehl	Spreng	Viebrock	Wasson

Speaker Pro Tem Bearden declared the bill passed.

SS HB 579, relating to civil defense, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SS HB 579** was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Bowman	Brown 50	Bruns	Corcoran
Day	Hobbs	Marsh	Richard	Salva
Schaaf	Schieffer	Schoemehl	Spreng	Viebrock

On motion of Representative Dempsey, **SS HB 579** was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Bruns	Corcoran	Day	Marsh
Salva	Schoemehl	Spreng	Viebrock	

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 006

George Whorton	Haywood	Norr	Quinn 9	Roorda
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PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Bruns	Corcoran	Day	Marsh
McClanahan	Salva	Schoemehl	Spreng	Storch
Viebrock				

SCS HCR 20, relating to the Real ID Act, was taken up by Representative Guest.

On motion of Representative Guest, **SCS HCR 20** was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 155

Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 003

Roorda	St. Onge	Zweifel
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PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Bruns	Cooper 120	Corcoran	Haywood
Marsh	Nasheed	Salva	Schoemehl	Spreng
Viebrock	Wallace			

SCS HB 801, relating to telecommunications, was taken up by Representative Kraus.

Representative Kraus moved to adopt **SCS HB 801**.

Representative Onder made a substitute motion that the House refuse to adopt **SCS HB 801** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Pearce moved to amend the substitute motion by inserting after the word “thereon” the following:

“; and bind the conferees to section 407.1095.”.

Which motion was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Iceet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 062

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Rucker	Scavuzzo
Schieffer	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bruns	Corcoran	Cox	Marsh
Nieves	Robinson	Roorda	Salva	Schneider
Schoemehl	Spreng	Stream	Viebrock	Vogt
Zweifel				

Representative Onder moved that the House refuse to adopt **SCS HB 801** and request the Senate to recede from its position and, failing to do so, grant the House a conference and the conferees be bound to Section 407.1095.

Which motion was adopted.

Representative Nieves resumed the Chair.

SCS HB 215, as amended, relating to juvenile courts, was taken up by Representative Stevenson.

Representative Stevenson moved that **SCS HB 215, as amended**, be adopted.

Representative Witte made a substitute motion that the House refuse to adopt **SCS HB 215, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was defeated.

Representative Stevenson again moved that **SCS HB 215, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 077

Aull	Baker 123	Bearden	Bivins	Bringer
Cooper 155	Cox	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fares	Fisher
Flook	Funderburk	Grisamore	Guest	Harris 110
Hobbs	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Lembke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schad	Scharnhorst	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Talboy	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Mr Speaker			

NOES: 072

Avery	Baker 25	Bowman	Brandom	Brown 30
Burnett	Casey	Chappelle-Nadal	Cooper 158	Corcoran
Cunningham 145	Curls	Darrough	Daus	Donnelly
Dusenberg	El-Amin	Fallert	Frame	Franz
Grill	Harris 23	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kraus
Kuessner	Lampe	LeVota	Lipke	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Parson	Quinn 9
Robinson	Roorda	Rucker	Schaaf	Schieffer
Schlottach	Schneider	Shively	Skaggs	Storch
Swinger	Thomson	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel			

PRESENT: 003

Brown 50	Liese	Scavuzzo
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ABSENT WITH LEAVE: 011

Bland	Bruns	Cooper 120	Dougherty	George
Kratky	Marsh	Salva	Schoemehl	Spreng
Viebrock				

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following members to the Conference Committee on **HCS#2 SCS SB 313**: Representatives Burnett and Zimmerman

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

HCS SCS SB 86, as amended: Representatives Sutherland, Cooper (120), Stevenson, Chappelle-Nadal and Zweifel

Representative Nieves resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 431, relating to business organizations, was taken up by Representative Pratt.

On motion of Representative Pratt, **SCS HCS HB 431** was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Sutherland

Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bruns	Kratky	Kuessner	Marsh
Roorda	Schoemehl	Spreng	Stream	Viebrock

On motion of Representative Pratt, **SCS HCS HB 431** was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bruns	Kratky	Kuessner	Marsh
Sater	Schoemehl	Spreng	Stream	Viebrock

Representative Nieves declared the bill passed.

SS HCS HB 820, relating to a death penalty execution team, was taken up by Representative Moore.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 064

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Kratky	Kuessner	Marsh	Meiners
Schaaf	Schoemehl	Spreng	Viebrock	

Speaker Jetton resumed the Chair.

On motion of Representative Moore, **SS HCS HB 820** was adopted by the following vote:

AYES: 110

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grisamore	Guest	Harris 23
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lembke	Lipke	Loehner	May	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Ruestman	Ruzicka
Salva	Sander	Sater	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Wallace	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Mr Speaker

NOES: 043

Baker 25	Bowman	Burnett	Chappelle-Nadal	Corcoran
Curls	Daus	El-Amin	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Scavuzzo
Schieffer	Skaggs	Storch	Talboy	Villa
Vogt	Walsh	Whorton	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 002

Roorda	Rucker
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ABSENT WITH LEAVE: 008

Bland	Cooper 120	Kratky	Marsh	Schaaf
Schoemehl	Spreng	Viebrock		

On motion of Representative Moore, **SS HCS HB 820** was truly agreed to and finally passed by the following vote:

AYES: 110

Aull	Avery	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grisamore	Guest
Harris 23	Hobbs	Hodges	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lembke	Lipke	Loehner
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Wallace	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Mr Speaker

NOES: 041

Baker 25	Bowman	Burnett	Chappelle-Nadal	Corcoran
Curls	Daus	El-Amin	George	Grill
Harris 110	Haywood	Holsman	Hoskins	Hubbard
Hughes	Johnson	Lampe	LeVota	Liese
Low 39	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Scavuzzo	Schieffer	Skaggs
Storch	Talboy	Villa	Vogt	Walsh
Whorton	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 002

Roorda	Rucker
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ABSENT WITH LEAVE: 010

Bland	Kratky	Lowe 44	Marsh	Salva
Schaaf	Schoemehl	Spreng	Viebrock	Wildberger

Speaker Jetton declared the bill passed.

Representative Nieves resumed the Chair.

SS SCS HCS HB 583, as amended, relating to orders of protection, was taken up by Representative Johnson.

On motion of Representative Johnson, **SS SCS HCS HB 583, as amended**, was adopted by the following vote:

AYES: 135

Aull	Avery	Baker 25	Bearden	Bivins
Bowman	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Icet	Johnson
Jones 89	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Page	Portwood	Pratt
Quinn 7	Quinn 9	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Walsh	Walton	Weter	Whorton
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 020

Baker 123	Brown 30	Cox	Cunningham 145	Emery
Ervin	Hunter	Jones 117	Loehner	Onder
Parson	Pearce	Pollock	Richard	Sater
Wallace	Wasson	Wells	Wilson 119	Wilson 130

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Kratky	Marsh	Schaaf	Schoemehl
Spreng	Viebrock	Wildberger		

On motion of Representative Johnson, **SS SCS HCS HB 583, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 133

Aull	Avery	Baker 25	Bearden	Bivins
Bowman	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cooper 158
Corcoran	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison

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Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Ice	Johnson	Jones 89	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Page	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Walsh
Walton	Weter	Whorton	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 019

Baker 123	Brown 30	Cox	Cunningham 145	Emery
Ervin	Jones 117	Loehner	Onder	Parson
Pearce	Pollock	Richard	Sater	Wallace
Wasson	Wells	Wilson 119	Wilson 130	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Cooper 120	Hubbard	Hunter	Kratky
Marsh	Schaaf	Schoemehl	Spreng	Viebrock
Wildberger				

Representative Nieves declared the bill passed.

SCS HCS HB 329, relating to debt adjusters, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **SCS HCS HB 329** was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Liese
Lipke	Loehner	May	McGhee	Moore

Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 058

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kuessner	Lampe	LeVota
Low 39	Lowe 44	McClanahan	Meiners	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Cooper 120	Corcoran	Hobbs	Kratky
Marsh	Meadows	Page	Salva	Schaaf
Schoemehl	Self	Spreng	Viebrock	Wildberger

On motion of Representative Cunningham (145), **SCS HCS HB 329** was truly agreed to and finally passed by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Liese	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Nance	Nasheed	
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Wallace	Wasson	Wells

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Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 058

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	LeVota
Low 39	Lowe 44	McClanahan	Meiners	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Corcoran	Hunter	Lampe	Marsh
Meadows	Page	Salva	Schaaf	Schoemehl
Sprenge	Viebrock	Wildberger		

Representative Nieves declared the bill passed.

SS SCS HB 596, as amended, relating to the Highway and Transportation Commission, was taken up by Representative St. Onge.

Representative Bringer raised a point of order that **SS SCS HB 596, as amended**, is out of order pursuant to Rule 41.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Brown 50	Bruns	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard

Robb	Ruestman	Ruzicka	Sander	Sater
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 057

Aull	Baker 25	Bowman	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Daus	Donnelly
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Corcoran	Darrough	El-Amin	Hughes
Marsh	Meadows	Salva	Schaaf	Schoemehl
Spreng	Viebrock	Wildberger	Young	Zweifel

Speaker Jetton resumed the Chair.

On motion of Representative St. Onge, **SS SCS HB 596, as amended**, was adopted by the following vote:

AYES: 089

Aull	Avery	Bearden	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Cunningham 86	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dixon	Dougherty	Dusenberg	Emery	Faith
Fallert	Fares	Fisher	Funderburk	Grisamore
Guest	Hobbs	Hodges	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nieves
Onder	Parson	Pearce	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sater
Scavuzzo	Scharnhorst	Schlottach	Schoeller	Shively
Silvey	Smith 14	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Wallace	Walton	Wasson	Weter
Wilson 119	Wood	Yates	Mr Speaker	

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NOES: 062

Baker 25	Baker 123	Bowman	Brown 50	Burnett
Cooper 158	Cunningham 145	Curls	Daus	Dethrow
Donnelly	El-Amin	Ervin	Flook	Frame
Franz	George	Grill	Harris 23	Harris 110
Haywood	Holsman	Hoskins	Hughes	Johnson
Kratky	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McClanahan
Nance	Nasheed	Nolte	Norr	Oxford
Page	Pollock	Sander	Schad	Schieffer
Schneider	Self	Skaggs	Smith 150	Stevenson
Talboy	Villa	Vogt	Walsh	Wells
Whorton	Witte	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Corcoran	Marsh	Meadows	Salva
Schaaf	Schoemehl	Spreng	Viebrock	Wildberger
Wilson 130	Zweifel			

Representative St. Onge moved that **SS SCS HB 596, as amended**, be truly agreed to and finally passed.

Which motion was defeated by the following vote:

AYES: 066

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dusenberg	Emery	Faith	Fares	Fisher
Funderburk	Grisamore	Guest	Hobbs	Hunter
Jones 89	Jones 117	Kelly	Kingery	Kraus
May	McGhee	Moore	Munzlinger	Muschany
Onder	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Scharnhorst	Schlottach	Schoeller
Shively	Silvey	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Wallace
Wasson	Weter	Wilson 119	Wilson 130	Yates
Mr Speaker				

NOES: 081

Baker 25	Baker 123	Bearden	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 158
Cunningham 86	Curls	Daus	Dixon	Donnelly
El-Amin	Ervin	Fallert	Flook	Frame
Franz	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Johnson	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McClanahan

Meiners	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Page	Portwood	Quinn 9
Robinson	Rucker	Scavuzzo	Schad	Schieffer
Schneider	Self	Skaggs	Smith 14	Smith 150
Storch	Talboy	Todd	Villa	Vogt
Walsh	Walton	Wells	Whorton	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Young
Zimmerman				

PRESENT: 005

Aull	Darrough	Dougherty	Roorda	Swinger
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ABSENT WITH LEAVE: 011

Bland	Corcoran	Marsh	Meadows	Salva
Schaaf	Schoemehl	Spreng	Viebrock	Wildberger
Zweifel				

Representative Nieves resumed the Chair.

HCS HBs 654 & 938, with Senate Amendment No. 1, relating to veterans, was taken up by Representative Stream.

On motion of Representative Stream, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

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Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Bruns	Cooper 120	Kratky	Marsh
Meadows	Salva	Schoemehl	Spreng	Viebrock

On motion of Representative Stream, **HCS HBs 654 & 938, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Bruns	Cooper 120	Marsh	Meadows
Salva	Schoemehl	Spreng	Viebrock	

Representative Nieves declared the bill passed.

SCS HCS HBs 619 & 118, as amended, relating to civil air patrol, was taken up by Representative Aull.

On motion of Representative Aull, **SCS HCS HBs 619 & 188, as amended**, was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Cooper 120	Donnelly	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock		

On motion of Representative Aull, **SCS HCS HBs 619 & 118, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Dougherty	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock		

Representative Nieves declared the bill passed.

SS SCS HB 125, as amended, relating to tax collection, was taken up by Representative Franz.

Representative Franz moved that **SS SCS HB 125, as amended**, be truly agreed to and finally passed.

Which motion was defeated by the following vote:

AYES: 006

Franz	Muschany	Parson	Pollock	Stevenson
Mr Speaker				

NOES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Haywood	Hodges	Marsh	Meadows
Salva	Schoemehl	Spreng	Viebrock	

BILL IN CONFERENCE

CCR#2 HCS SCS SB 308, as amended, relating to licensed professionals, was taken up by Representative Wasson.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Scavuzzo
Schieffer	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bowman	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock	Mr Speaker	

On motion of Representative Wasson, **CCR#2 HCS SCS SB 308, as amended**, was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly

Dougherty	Dusenberg	El-Amin	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 004

Cooper 155	Emery	Harris 110	Whorton
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PRESENT: 001

Oxford

ABSENT WITH LEAVE: 010

Bowman	Burnett	Cooper 120	Haywood	Marsh
Meadows	Salva	Schoemehl	Spreng	Viebrock

On motion of Representative Wasson, **CCS#2 HCS SCS SB 308** was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke

LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Emery Whorton

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock		

Representative Nieves declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SB 315, with House Amendment No. 1, pending, relating to liability for agricultural damage, was again taken up by Representative Munzlinger.

House Amendment No. 1 was withdrawn.

Representative Schad offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 315, Page 3, Section 260.546, Line 51, by inserting after all of said line the following:

"537.340. **1.** If any person shall cut down, injure or destroy or carry away any tree placed or growing for use, shade or ornament, or any timber, rails or wood standing, being or growing on the land of any other person, including any governmental entity, or shall dig up, quarry or carry away any stones, ore or mineral, gravel, clay or mold, or any ice or other substance or material being a part of the realty, or any roots, fruits or plants, or cut down or carry away grass, grain, corn, flax or hemp in which such person has no interest or right, standing, lying or being on land not such person's own, or shall knowingly break the glass or any part of it in any building not such person's own, the person so offending shall pay to the party injured treble the value of the things so injured, broken, destroyed or carried away, with costs. Any person filing a claim for damages pursuant to this section need not prove negligence or intent.

2. Notwithstanding the provisions of subsection 1 of this section, the following rules shall apply to the trimming, removing, and controlling of trees and other vegetation by any electric supplier:

(1) Every electric supplier that operates electric transmission or distribution lines shall have the authority to maintain the same by trimming, removing, and controlling trees and other vegetation posing a hazard to the continued safe and reliable operation thereof;

(2) An electric supplier may exercise its authority under subdivision (1) of this subsection if the trees and other vegetation are within the legal description of any recorded easement or, in the absence of a recorded easement, the following:

(a) Within ten feet, plus one-half the length of any attached crossarm, of either side of the centerline of electricity lines potentially energized at or below 34.5 kilovolts measured line to line and located within the limits of any city; or

(b) Within thirty feet of either side of the centerline of electricity lines potentially energized at or below 34.5 kilovolts measured line to line and located outside the limits of any city; or

(c) Within fifty feet of either side of the centerline of electricity lines potentially energized between 34.5 and one hundred kilovolts measured line to line; or

(d) Within the greater of the following for any electricity lines potentially energized at one hundred kilovolts or more measured line to line:

a. Seventy-five feet to either side of the centerline; or

b. Any required clearance distance adopted by either the Federal Energy Regulatory Commission or an Electric Reliability Organization authorized by the Energy Policy Act of 2005, 16 U.S.C. Section 824o. Such exercise shall be considered reasonable and necessary for the proper and reliable operation of electric service and shall create a presumption that the electric supplier acted with reasonable care, operated within its rights regarding the operation and maintenance of its electricity lines, and has not committed a trespass;

(3) An electric supplier may trim, remove, and control trees and other vegetation outside the provisions in subdivision (2) of this subsection if such actions are necessary to maintain the continued safe and reliable operation of its electric lines;

(4) An electric supplier may secure from the owner or occupier of land greater authority to trim, remove, and control trees and other vegetation than the provisions set forth in subdivision (2) of this subsection and may exercise any and all rights regarding the trimming, removing, and controlling of trees and other vegetation granted in any easement held by the electric supplier;

(5) An electric utility may trim or remove any tree of sufficient height outside the provisions of subdivision (2) of this subsection when such tree, if it were to fall, would threaten the integrity and safety of any electric transmission or distribution line and would pose a hazard to the continued safe and reliable operation thereof;

(6) Prior to the removal of any tree under the provisions of subdivision (5) of this subsection, an electric utility shall notify the owner or occupier of land, if available, at least fourteen days prior to such removal unless either the electric supplier deems the removal to be immediately necessary to continue the safe and reliable operation of its electricity lines, or the electric supplier is trimming or removing trees and other vegetation following a major weather event or other emergency situation;

(7) If any tree which is partially trimmed by an electric supplier dies within three months as a result of said trimming, the owner or occupier of land upon which the tree was trimmed may request in writing that the electric supplier remove said tree at the electric supplier's expense. The electric supplier shall respond to such request within ninety days;

(8) Nothing in this subsection shall be interpreted as requiring any electric utility to fully exercise the authorities granted in this subsection.

3. For purposes of this section, the term "electric supplier" means any rural electric cooperative that is subject to the provisions of chapter 394, RSMo, and any electrical corporation which is required by its bylaws to operate on the not-for-profit cooperative business plan, with its consumers who receive service as the stockholders of such corporation, and which holds a certificate of public convenience and necessity to serve a majority of its customer-owners in counties of the third classification as of August 28, 2003."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Quinn 9	Robinson	Roorda	Rucker	Scavuzzo
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 010

Haywood	Marsh	Meadows	Page	Salva
Schneider	Schoemehl	Spreng	Viebrock	Wright-Jones

On motion of Representative Schad, **House Amendment No. 2** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158

Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Haywood	Marsh	Meadows	Salva	Schneider
Schoemehl	Spreng	Viebrock	Wright-Jones	

On motion of Representative Munzlinger, **HCS SB 315, as amended**, was adopted.

On motion of Representative Munzlinger, **HCS SB 315, as amended**, was read the third time and passed by the following vote:

AYES: 137

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman

Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 017

Baker 25	Burnett	Curl	George	Grill
Harris 23	Hughes	LeVota	Low 39	Lowe 44
Nasheed	Norr	Oxford	Skaggs	Storch
Talboy	Zimmerman			

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 008

Haywood	Marsh	Meadows	Salva	Schoemehl
Spreng	Viebrock	Wright-Jones		

Representative Nieves declared the bill passed.

HCS SS#2 SCS SB 161, as amended, with Part II of House Amendment No. 2, pending, relating to elementary and secondary education, was again taken up by Representative Muschany.

House Amendment No. 2

PART II

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 26, Section 210.205, Line 11, by inserting after the word "**system.**" the following:

"Adoption of any quality rating system shall be accomplished through the rule-making process under chapter 536, RSMo."; and

Further amend said bill, Page 26, Section 210.205, Line 18, by deleting the word "**outcomes.**" and inserting in lieu thereof the following:

"outcomes; and

(4) Permit the appeal of any rating to the department of social services through an appeals process established by rule.

3. The quality rating system shall be:

(1) Voluntary for facilities that are licensed under sections 210.201 to 210.259, and do not receive the child care subsidy under chapter 208, RSMo, or any other state funds;

(2) Mandatory for facilities that are licensed under sections 210.201 to 210.259, and receive a child care subsidy under chapter 208, RSMo, or any other state funds;

(3) Voluntary for facilities that are license-exempt under the exceptions described in section 210.211 to 210.259. A license-exempt facility under the exceptions described in section 210.211 may be rated with an explanation that it is rated but license-exempt."; and

Further amend said bill by renumbering the remaining subsections accordingly; and

Further amend said section, Page 27, Lines 56 and 57, by deleting all of said lines and inserting in lieu thereof the following:

"7. For purposes of this section, "early childhood program" shall mean programs that are both centered and home-based and providing services for children from birth to kindergarten."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Scavuzzo
Schieffer	Shively	Skaggs	Storch	Swinger

Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 010

Cooper 120	Dethrow	Haywood	Marsh	Meadows
Salva	Schoemehl	Spreng	Viebrock	Wright-Jones

On motion of Representative Muschany, **Part II of House Amendment No. 2, as amended**, was adopted.

Representative Bearden offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 10, Section 162.1110, Line 25, by inserting after all of said line the following:

"163.043. 1. For fiscal year 2007 and each subsequent fiscal year, the "Classroom Trust Fund", which is hereby created in the state treasury, shall be distributed by the state board of education to each school district in this state qualified to receive state aid pursuant to section 163.021 on an average daily attendance basis. **For fiscal year 2009 and each fiscal year thereafter, one million five hundred thousand dollars of the fund otherwise transferred under the provisions of this subsection shall be transferred to the Missouri exceptional teachers fund created in section 168.745, RSMo. One million dollars of such appropriation shall be directed to the teacher's choice compensation package in certain districts pursuant to section 168.745 to 168.750, RSMo, and five hundred thousand dollars shall be directed towards incentive pay in certain districts as described in sections 168.110, 168.126, and 168.221, RSMo.**

2. The moneys distributed pursuant to this section shall be spent at the discretion of the local school district. The moneys may be used by the district for:

- (1) Teacher recruitment, retention, salaries, or professional development;
- (2) School construction, renovation, or leasing;
- (3) Technology enhancements or textbooks or instructional materials;
- (4) School safety; or
- (5) Supplying additional funding for required programs, both state and federal.

3. The classroom trust fund shall consist of all moneys transferred to it under section 160.534, RSMo, all moneys otherwise appropriated or donated to it, and, notwithstanding any other provision of law to the contrary, all unclaimed lottery prize money.

4. The provisions of this section shall not apply to any option district as defined in section 163.042."; and

Further amend said bill, Page 22, Section 168.104, Line 37, by inserting after all of said line the following:

"168.106. The contract between a school district and a permanent teacher shall be known as an indefinite contract and shall continue in effect for an indefinite period, subject only to:

(1) Compulsory or optional retirement when the teacher reaches the age of retirement provided by law, or regulation established by the local board of education;

(2) Modification by a succeeding indefinite contract or contracts in the manner hereinafter provided;

(3) The death of the teacher;

(4) Resignation of the teacher with the written consent of the school board;

(5) Termination by the board of education after a hearing as hereinafter provided; [and]

(6) The revocation of the teacher's certificate; **and**

(7) A decision by the teacher to follow the teacher choice compensation package under sections 168.745 to 168.750 in a district and give up the right to an indefinite contract.

168.110. The board of education of a school district may modify an indefinite contract annually on or before the fifteenth day of May in the following particulars:

- (1) Determination of the date of beginning and length of the next school year;
- (2) Fixing the amount of annual compensation for the following school year as provided by the salary schedule adopted by the board of education applicable to all teachers. **A district that has been provisionally accredited, unaccredited, or lapsed, or any combination thereof for five consecutive years beginning with school year 2001-2002 shall be eligible for incentive pay funds from section 163.043 RSMo, through the transfer of such funds to the Missouri exceptional teachers fund created in section 168.745. Such qualifying districts may provide a salary that includes hiring incentives or salary schedule modifications, which may include but are not limited to credit for all prior years of service in another district, to attract and retain teachers with qualities, experience, or credentials that are exceptionally well suited to a district's needs and who are certified in math, science, special education, or English as a second language. In exchange for such incentives, teachers may be required to teach in the district offering the incentive for a period of up to three school years. Districts shall have the decision-making authority on whether to provide such incentives and modifications within the limits of this section.** The modifications shall be effective at the beginning of the next school year. All teachers affected by the modification shall be furnished written copies of the modifications within thirty days after their adoption by the board of education."; and

Further amend said bill, Page 22, Section 168.114, Line 15, by inserting after all of said line the following:

"168.126. 1. A board of education at a regular or special meeting may contract with and employ by a majority vote legally qualified probationary teachers for the school district. The contract shall be made by order of the board; shall specify the number of months school is to be taught and the wages per month to be paid; shall be signed by the probationary teacher and the president of the board, or a facsimile signature of the president may be affixed at his discretion; and the contract shall be attested by the secretary of the board by signature or facsimile. **A district that has been provisionally accredited, unaccredited, or lapsed, or any combination thereof for five consecutive years beginning with school year 2001-2002 shall be eligible for incentive pay funds from section 163.043, RSMo, through the transfer of such funds to the Missouri exceptional teachers fund created in section 168.745. Such qualifying districts may provide a salary that includes hiring incentives or salary schedule modifications, which may include but are not limited to credit for all prior years of service in another district, to attract and retain teachers with qualities, experience, or credentials that are exceptionally well suited to a district's needs and who are certified in math, science, special education, and English as a second language. In exchange for such incentives, teachers may be required to teach in the district offering the incentive for a period of up to three school years. Districts shall have the decision-making authority on whether to provide such incentives and modifications within the limits of this section.** The board shall not employ one of its members as a teacher; nor shall any person be employed as a teacher who is related within the fourth degree to any board member, either by consanguinity or affinity, where the vote of the board member is necessary to the selection of the person.

2. If in the opinion of the board of education any probationary teacher has been doing unsatisfactory work, the board of education, through its authorized administrative representative, shall provide the teacher with a written statement definitely setting forth his alleged incompetency and specifying the nature thereof, in order to furnish the teacher an opportunity to correct his fault and overcome his incompetency. If improvement satisfactory to the board of education has not been made within ninety days of the receipt of the notification, the board of education may terminate the employment of the probationary teacher immediately or at the end of the school year. Any motion to terminate the employment of a probationary teacher shall include only one person and must be approved by a majority of the members of the board of education. A tie vote thereon constitutes termination. On or before the fifteenth day of April in each school year, the board of education shall notify in writing a probationary teacher who will not be retained by the school district of the termination of his employment. Upon request, the notice shall contain a concise statement of the reason or reasons the employment of the probationary teacher is being terminated. If the reason for the termination is due to a decrease in pupil enrollment, school district reorganization, or the financial condition of the school district, then the district shall in all cases issue notice to the teacher expressly declaring such as the reason for such termination. Nothing contained in this section shall give rise to a cause of action not currently cognizant at law by a probationary teacher for

any reason given in said writing so long as the board issues the letter in good faith without malice, but an action for actual damages may be maintained by any person for the deprivation of a right conferred by this act.

3. Any probationary teacher who is not notified of the termination of his employment shall be deemed to have been appointed for the next school year, under the terms of the contract for the preceding year. A probationary teacher who is informed of reemployment by written notice shall be tendered a contract on or before the fifteenth day of May, and shall within fifteen days thereafter present to the employing board of education a written acceptance or rejection of the employment tendered, and failure of such teachers to present the acceptance within such time constitutes a rejection of the board's offer. A contract between a probationary teacher and a board of education may be terminated or modified at any time by the mutual consent of the parties thereto."; and

Further amend said bill, Page 25, Section 168.221, Lines 29 and 30, by deleting all of said lines and inserting in lieu thereof the following:

"public schools of the state, or physical or mental condition which incapacitates him for instructing"; and

Further amend said bill, section, and page, Line 58, by inserting immediately after the word "instruction." the following:

"A permanent teacher may choose to give up the right to an indefinite contract to follow the teacher choice compensation package under sections 168.745 to 168.750."; and

Further amend said bill and section, Page 26, Line 78, by adding after all of said line the following:

"7. A district that has been provisionally accredited, unaccredited, or lapsed, or any combination thereof for five consecutive years beginning with school year 2001-2002 shall be eligible for incentive pay funds from section 163.043, RSMo, through the transfer of such funds to the Missouri exceptional teachers fund created in section 168.745. Such qualifying districts may provide a salary that includes hiring incentives or salary schedule modifications, which may include but are not limited to credit for all prior years of service in another district, to attract and retain teachers with qualities, experience, or credentials that are exceptionally well suited to a district's needs and who are certified in math, science, special education, or English as a second language. In exchange for such incentives, teachers may be required to teach in the district for a period of up to three school years. The district shall have the decision-making authority on whether to provide such incentives and modifications within the limits of this section.

168.375. 1. Every certificated teacher who is an employee of a district that has been designated as unaccredited or provisionally accredited through its full accreditation review as part of the school improvement program review cycle shall, in the fifth year following the teacher's initial certification and every fifth year thereafter, submit documentation to the department of elementary and secondary education that the teacher has:

(1) Retaken the appropriate exit assessment under section 168.021 and achieved a score equal to or higher than the required score; or

(2) Successfully completed any course or examination determined by rule of the state board of education for this purpose.

2. A certificated teacher who has failed to achieve the required score on the chosen assessment under subsection 1 of this section may retake the assessment at the next available date. If a teacher fails a second time, or wishes to appeal after an initial failure, the teacher shall present documentation of effectiveness such as student test scores on a value-added instrument advancing, on average, by one grade level. The appeal shall be made through the administrative hearing commission under Chapter 621, RSMo.

3. Notwithstanding the provisions of sections 168.114 or 168.221, a teacher who fails to demonstrate a minimum level of competency shall not be considered a permanent employee of the school district.

168.745. 1. There is hereby created the "Teacher Choice Compensation Package" to permit performance-based salary stipends upon the decision of the teacher as described in section 168.747, to reward teachers for objectively demonstrated superior performance in any district that has been provisionally accredited,

unaccredited, or lapsed, or any combination thereof for five consecutive years beginning with school year 2001-2002.

2. The "Missouri Exceptional Teachers Fund" is hereby created as a special trust fund in the state treasury. Moneys in the fund shall consist of any grant, gift, or contribution from any and all public and private sources whatsoever that is designated for such purpose, including funds appropriated from the classroom trust fund created in section 163.043, RSMo. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. The department of elementary and secondary education shall administer the fund and shall ensure that money in the fund is used only for the salaries of teachers subject to the provisions of sections 168.745 to 168.750, and for the purposes of incentive pay set forth in sections 168.110, 168.126, and 168.221 in districts meeting qualifications. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

168.747. 1. To be eligible for the teacher choice compensation package, any classroom personnel reported as a code forty, fifty, or sixty through the core data system of the Missouri department of elementary and secondary education shall opt out of his or her indefinite contract under section 168.106 or section 168.221 for the duration of employment with the district. A teacher may decide to end his or her eligibility for the teacher choice stipend but may not resume permanent teacher status with that district. A probationary teacher may opt out of consideration for a permanent contract in the second or subsequent years of employment by the district to participate in the teacher choice compensation package but may not return to permanent status in that district or resume the process for qualification for an indefinite contract in that district. A teacher who has chosen the teacher choice compensation package and changes employment to another district may choose to resume the process for qualification for an indefinite contract in that district or may choose to remain in the teacher choice compensation package of the new district.

2. Teachers shall qualify annually in October for the stipends described in section 168.749. Stipends shall be offered in five thousand dollar increments, up to fifteen thousand dollars, but shall not exceed fifty percent of a teacher's salary, before deductions for retirement but including designated pay for additional duties such as coaching, sponsoring, or mentoring. Any stipend received under section 168.749 shall be in addition to the salary to which the teacher would otherwise be entitled. Teachers receiving the stipend shall receive any pay and benefits received by teachers of similar training, experience, and duties. Such stipends shall not be considered compensation for retirement purposes.

3. Subject to appropriation, the department of elementary and secondary education shall make a payment to the district in the amount of the stipend, to be delivered as a lump sum in January following the October of qualification. If the amount appropriated is not enough to fund the total of five thousand dollar increment payments, the department may prorate the payments.

4. Teachers who receive the stipend shall have their achievement acknowledged at an annual districtwide ceremony. Invitations to the ceremony shall be extended to the district's superintendent, the principal of each school in which such a teacher works, the commissioner of education, the chairperson of the state board of education and all local and statewide elected officials who represent the school district, as well as other interested parties.

5. Every person employed by the district in a teaching position, regardless of the certification status of the person, who qualifies under any of the indicators listed in section 168.749 is eligible for the teacher choice compensation package. Teachers who are employed less than full-time are eligible for teacher choice stipends on a pro-rated basis. Any teacher who is dismissed for cause who has otherwise qualified for a teacher choice stipend shall forfeit the stipend for that year.

168.749. 1. Beginning with school year 2008-2009, teachers who elect to participate in the teacher choice compensation package in qualifying districts shall be eligible for stipends based on the following criteria:

(1) Score on a value-added test instrument or instruments. Such instruments shall be defined as those which give a reliable measurement of the skills and knowledge transferred to students during the time they are in a teacher's classroom and shall be selected by the school district from one or more of the following assessments:

(a) A list of recognized value-added instruments developed by the department of elementary and secondary education;

(b) Scores on the statewide assessments established under section 160.518, RSMo, may be used for this purpose, and the department of elementary and secondary education shall develop a procedure for identifying the value added by teachers that addresses the fact that not all subjects are tested at all grade levels each year under the state assessment program;

(c) Scores on annual tests required by the federal Elementary and Secondary Education Act reauthorization of 2002 for third through eighth grade may be used as value-added instruments if found appropriate after consideration and approval by the state board of education; and

(2) Evaluations by a peer review group. For purposes of this subdivision, the term "peer review group" shall include the principal of the school where the teacher is employed, one or more teachers employed in the school where the teacher is employed, one or more parents of students attending the school where the teacher is employed, and, for grades six to twelve, one or more students of the teacher. The principal shall appoint such teacher, parent and student members of the peer review group.

Model instruments for these evaluations shall be developed or identified by the department of elementary and secondary education. Districts may use such models or may develop their own instruments, subject to the provisions of subsection 2 of this section. A district that develops its own instrument shall not use that instrument as its sole method of evaluation.

2. The department of elementary and secondary education shall develop criteria for determining eligibility for stipend increments, including a range of target scores on assessments for use by the districts. The test-score options listed in subdivision (1) of subsection 1 of this section shall be given higher weight than the evaluation options listed in subdivision (2) of subsection 1 of this section. The decision of individual districts about the qualifications for each increment based on the evaluations listed in subdivision (2) of subsection 1 of this section and for value-added instruments for which target scores have not been developed by the department of elementary and secondary education may address the district's unique characteristics but shall require demonstrably superior performance on the part of the teacher, based primarily on improved student achievement while taking into account classroom demographics including but not limited to students' abilities, special needs, and class size. Districts shall submit any instruments they have developed on their own to the department for approval.

168.750. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 168.745 to 168.749 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves

Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Scavuzzo
Schieffer	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 009

Bruns	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock	Wright-Jones	

On motion of Representative Bearden, **House Amendment No. 3** was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Dempsey	Denison	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Lembke	Lipke	Loehner	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Scharnhorst	Schneider	Schoeller	Self	Silvey
Smith 14	Stevenson	St. Onge	Stream	Sutherland
Threlkeld	Tilley	Villa	Wasson	Weter
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 069

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Davis	Day
Deeken	Dethrow	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Komo	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Nance
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Ruzicka	Scavuzzo
Schieffer	Schlottach	Shively	Skaggs	Smith 150
Storch	Swinger	Talboy	Thomson	Todd
Vogt	Wallace	Walsh	Walton	Wells
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bruns	Haywood	Johnson	Marsh	Meadows
Salva	Schoemehl	Spreng	Viebrock	

Representative Robb offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 28, Section 210.205, Line 66, by inserting after all of said line the following:

"Section 1. Whenever any school district in this state attains a score or displays criteria for classification of the district on its annual performance review consistent with the classification of "unaccredited", the state board of education shall, within ninety days, study all of the pertinent, current data from the district and shall either classify the district as "unaccredited" or issue a report to the general assembly and the governor delineating the factors considered and the reasons for not classifying the district as "unaccredited". Should the state board vote to classify a district as "unaccredited", the board may vote to apply such classification prospectively to a date no later than ten days after the last scheduled day of classes for the district in the current academic year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke

Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 065

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Bruns	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock		

On motion of Representative Robb, **House Amendment No. 4** was adopted.

Representative Stream offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 161, Page 6, Section 161.720, Line 22, by inserting after all of said line the following:

"162.961. 1. A parent, guardian or the responsible educational agency may request a due process hearing by the state board of education with respect to any matter relating to identification, evaluation, educational placement, or the provision of a free appropriate public education of the child. Such request shall include the child's name, address, school, issue, and suggested resolution of dispute if known. Except as provided in subsection 4 of this section, the board or its delegated representative shall within fifteen days after receiving notice empower a hearing panel of three persons who are not directly connected with the original decision and who are not employees of the board to which the appeal has been made. All of the panel members shall have some knowledge or training involving children with disabilities, none shall have a personal or professional interest which would conflict with his or her objectivity in the hearing, and all shall meet the department of elementary and secondary education's training and assessment requirements pursuant to state regulations and federal law and regulation requirements of the Individuals With Disabilities Education Act. One person shall be chosen by the local school district board or its delegated representative or the responsible educational agency, and one person shall be chosen at the recommendation of the parent or guardian. If either party has not chosen a panel member ten days after the receipt by the department of elementary and secondary education of the request for

a due process hearing, such panel member shall be chosen instead by the department of elementary and secondary education. Each of these two panel members shall be compensated pursuant to a rate set by the department of elementary and secondary education. The third person shall be appointed by the state board of education and shall serve as the chairperson of the panel. The chairperson shall be an attorney licensed to practice law in this state. During the pendency of any three-member panel hearing, or prior to the empowerment of the panel, the parties may, by mutual agreement, submit their dispute to a mediator pursuant to section 162.959.

2. The parent or guardian, school official, and other persons affected by the action in question shall present to the hearing panel all pertinent evidence relative to the matter under appeal. All rights and privileges as described in section 162.963 shall be permitted.

3. After review of all evidence presented and a proper deliberation, the hearing panel, within the time lines required by the Individuals With Disabilities Education Act, 20 U.S.C. Section 1415 and any amendments thereto, shall by majority vote determine its findings, conclusions, and decision in the matter in question and forward the written decision to the parents or guardian of the child and to the president of the appropriate local board of education or responsible educational agency and to the department of elementary and secondary education. A specific extension of the time line may be made by the chairman at the request of either party, except in the case of an expedited hearing as provided in subsection 4 of this section.

4. An expedited due process hearing by the state board of education may be requested by a parent to challenge a disciplinary change of placement or to challenge a manifestation determination in connection with a disciplinary change of placement or by a responsible educational agency to seek a forty-five school day alternative educational placement for a dangerous or violent student. The board or its delegated representative shall appoint a hearing officer to hear the case and render a decision within the time line required by federal law and state regulations implementing federal law. The hearing officer shall be an attorney licensed to practice law in this state. The hearing officer shall have some knowledge or training involving children with disabilities, shall not have a personal or professional interest which would conflict with his or her objectivity in the hearing, and shall meet the department of elementary and secondary education's training and assessment requirements pursuant to state regulations and federal law and regulation requirements of the Individuals With Disabilities Education Act. A specific extension of the time line is only permissible to the extent consistent with federal law and pursuant to state regulations.

5. If the responsible public agency requests a due process hearing to seek a forty-five school day alternative educational placement for a dangerous or violent student, the agency shall show by substantial evidence that there is a substantial likelihood the student will injure himself or others and that the agency made reasonable efforts to minimize that risk, and shall show that the forty-five school day alternative educational placement will provide a free appropriate public education which includes services and modifications to address the behavior so that it does not reoccur, and continue to allow progress in the general education curriculum.

6. Any due process hearing request and responses to the request shall conform to the requirements of the Individuals With Disabilities Education Act (IDEA). Determination of the sufficiency shall be made by the chairperson of the three-member hearing panel, or in the case of an expedited due process hearing, by the hearing officer. The chairperson or hearing officer shall implement the process and procedures, including time lines, required by the IDEA, related to sufficiency of notice, response to notice, determination of sufficiency dispute, and amendments of the notice.

7. A preliminary meeting, known as a resolution session, shall be convened by the responsible public agency, under the requirements of the IDEA. The process and procedures required by the IDEA in connection to the resolution session and any resulting written settlement agreement shall be implemented. **The responsible public agency or its designee shall sign the agreement. The designee identified by the responsible public agency shall have the authority to bind the agency. A local board of education, as a responsible public agency, shall identify a designee with authority to bind the school district.**

162.963. 1. At any hearing held pursuant to the provisions of section 162.961, except as otherwise provided in this section, either party or a representative shall be entitled to:

- (1) Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;
- (2) Present evidence and confront, cross-examine, and compel the attendance of witnesses;
- (3) Prohibit the introduction of any evidence, including all evaluations and recommendations based on the offering party's evaluation, at the hearing that has not been disclosed to that party at least five business days before the hearing[, except this shall not be applicable in the case of an expedited hearing where no discovery shall take place];
- (4) Obtain a written or, at the option of the parents, electronic verbatim record of the hearing; and

(5) Obtain written or, at the option of the parents, electronic findings of fact and decision.

2. Parents involved in hearings have the right to have the child who is the subject of the hearing present and the right to open the hearing to the public.

3. Prior to the resolution conference or hearing, the parent or guardian or a representative of the parent or guardian shall have access to any reports, records, clinical evaluations or other materials upon which the action to be reviewed was wholly or partially based which could reasonably have a bearing on the correctness of the determination.

4. A complete record shall be made of all proceedings unless otherwise specified by statute, which records shall include verbatim transcription of all testimony and shall include all documents, writings, or other evidence presented by any party. Costs incurred during these proceedings, except those of the parties for purchasing diagnostic services or legal counsel or other services of a personal nature, shall be the responsibility of the state board of education."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Icet	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 066

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

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PRESENT: 000

ABSENT WITH LEAVE: 011

Bruns	Haywood	Hunter	Marsh	Meadows
Salva	Sater	Schaaf	Schoemehl	Spreng
Viebrock				

On motion of Representative Stream, **House Amendment No. 5** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 065

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 012

Bruns	Haywood	Hunter	Marsh	Meadows
Salva	Sater	Schaaf	Schoemehl	Spreng
Viebrock	Whorton			

On motion of Representative Muschany, **HCS SS#2 SCS SB 161, as amended**, was adopted.

Speaker Jetton resumed the Chair.

On motion of Representative Muschany, **HCS SS#2 SCS SB 161, as amended**, was read the third time and passed by the following vote:

AYES: 082

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Sander	Sater	Schaaf	Schad	Schamhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Threlkeld	Tilley	Wasson	Wilson 119	Wright 159
Zweifel	Mr Speaker			

NOES: 071

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Day
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	McGhee
Meiners	Nance	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Ruzicka	Scavuzzo	Schieffer	Schneider	Shively
Skaggs	Storch	Swinger	Talboy	Thomson
Todd	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Wilson 130	Witte
Wood	Wright-Jones	Yaeger	Yates	Young
Zimmerman				

PRESENT: 001

Hughes

ABSENT WITH LEAVE: 009

Haywood
Spreng

Marsh
Viebrock

Meadows
Whorton

Salva
Wildberger

Schoemehl

Speaker Jetton declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SCS HB 801** and has taken up and passed **HB 801**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SS SCS SB 22, as amended**, and has taken up and passed **CCS HCS SS SCS SB 22, as amended**, by Conference Committee Amendment No. 1 and Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Page 279, Section 226.527, Line 20 of said page, by inserting after all of said line the following:

"228.110. 1. Any twelve residents of the township or townships through which a road runs may make application for the vacation of any such road or part of the same as useless, and the repairing of the same an unreasonable burden upon the district or districts. The petition shall be publicly read on the first day of the term at which it is presented, and the matter continued without further proceedings until the next term.

2. Notice of the filing of such petition and of the road sought to be vacated shall be posted up in not less than three public places in such township or townships, at least twenty days before the first day of the next term of the commission, and a copy of the same shall be personally served on all the persons residing in the district whose lands are crossed or touched by the road proposed to be vacated in the same manner as other notices are required to be served by law; and at the next regular term the same shall again be publicly read on the first day thereof.

3. If no remonstrance is made thereto in writing, signed by at least twelve residents of the township, the commission may proceed to vacate such road, or any part thereof, at the cost of the petitioners; but if a remonstrance thereto in writing, signed by at least twelve residents of such township or townships, is filed, and the commission after considering the same shall decide that it is just to vacate such road, or any part thereof, against the vacation of which the remonstrance was filed, the costs shall be paid by the parties remonstrating, and the original costs, and damages for opening such vacated road shall be paid by the petitioners to those who paid the same, except that if five years have elapsed since the original opening of the same no such reimbursement shall be made.

4. Notwithstanding any other provision of this section to the contrary, in any county with a charter form of government, any twenty-five residents of the county through which a road subject to this section runs and who reside on any portion of such road or on another road that intersects such road and within one mile of the right-of-way to be vacated, may apply for the vacation of such road or part of such road as no longer serving the public health, safety, and welfare. The county may, by order or ordinance, provide for notice and hearing of such petitions and for filing and hearing remonstrances against them."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 86, as amended**: Senators Champion, Lager, Griesheimer, Bray and Kennedy.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate refuses to adopt the Conference Committee Report on **HCS SB 582, as amended**, and requests the House to grant further conference.

BILL CARRYING REQUEST MESSAGE

HCS SB 582, as amended, relating to taxation, was taken up by Representative Sutherland.

Representative Sutherland moved that the House grant the Senate a further conference on **HCS SB 582, as amended**.

Which motion was adopted by the following vote:

AYES: 098

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Zweifel	Mr Speaker		

NOES: 053

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Corcoran	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hughes	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Scavuzzo	Schieffer
Shively	Skaggs	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Witte	Wright-Jones
Yaeger	Young	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 012

Chappelle-Nadal	Haywood	Marsh	Meadows	Salva
Sater	Schaaf	Schoemehl	Spreng	Viebrock
Whorton	Wildberger			

THIRD READING OF SENATE BILL

HCS SCS SBs 45 & 39, relating to transportation, was taken up by Representative Stevenson.

Representative St. Onge offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 39, Page 1, Section A, Line 4, by inserting after all of said line the following:

"144.062. 1. With respect to exempt sales at retail of tangible personal property and materials for the purpose of constructing, repairing or remodeling facilities for:

(1) A county, other political subdivision or instrumentality thereof exempt from taxation under subdivision (10) of section 39 of article III of the Constitution of Missouri; or

(2) An organization sales to which are exempt from taxation under the provisions of subdivision (19) of subsection 2 of section 144.030; or

(3) Any institution of higher education supported by public funds or any private not-for-profit institution of higher education, exempt from taxation under subdivision (20) of subsection 2 of section 144.030; or

(4) Any private not-for-profit elementary or secondary school exempt from taxation under subdivision (22) of subsection 2 of section 144.030; or

(5) After June 30, 2008, the department of transportation or the state highways and transportation commission, hereinafter collectively referred to as exempt entities, such exemptions shall be allowed for such purchases if the purchases are related to the entities' exempt functions and activities. In addition, the sales shall not be rendered nonexempt nor shall any material supplier or contractor be obligated to pay, collect or remit sales tax with respect to such purchases made by or on behalf of an exempt entity due to such purchases being billed to or paid for by a contractor or the exempt entity contracting with any entity to render any services in relation to such purchases, including but not limited to selection of materials, ordering, pickup, delivery, approval on delivery, taking of delivery, transportation, storage, assumption of risk of loss to materials or providing warranties on materials as specified by contract, use of materials or other purchases for construction of the building or other facility, providing labor, management services, administrative services, design or technical services or advice to the exempt entity, whether or not the contractor or other entity exercises dominion or control in any other manner over the materials in conjunction with services or labor provided to the exempt entity.

2. When any exempt entity contracts for the purpose of constructing, repairing or remodeling facilities, and purchases of tangible personal property and materials to be incorporated into or consumed in the construction of the project are to be made on a tax-exempt basis, such entity shall furnish to the contractor an exemption certificate authorizing such purchases for the construction, repair or remodeling project. The form and content of such project exemption certificate shall be approved by the director of revenue. The project exemption certificate shall include but not be limited to:

(1) The exempt entity's name, address, Missouri tax identification number and signature of authorized representative;

(2) The project location, description, and unique identification number;

(3) The date the contract is entered into, which is the earliest date materials may be purchased for the project on a tax-exempt basis;

(4) The estimated project completion date; and

(5) The certificate expiration date.

Such certificate is renewable for a given project at the option of the exempt entity, only for the purpose of revising the certificate expiration date as necessary to complete the project.

3. The contractor shall furnish the certificate prescribed in subsection 2 of this section to all subcontractors, and any contractor purchasing materials shall present such certificate to all material suppliers as authorization to purchase, on behalf of the exempt entity, all tangible personal property and materials to be incorporated into or consumed

in the construction of that project and no other on a tax-exempt basis. Such suppliers shall execute to the purchasing contractor invoices bearing the name of the exempt entity and the project identification number. Nothing in this section shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in constructing, repairing or remodeling facilities for the exempt entity. All invoices for all personal property and materials purchased under a project exemption certificate shall be retained by the purchasing contractor for a period of five years and shall be subject to audit by the director of revenue.

4. Any excess resalable tangible personal property or materials which were purchased for the project by a contractor under a project exemption certificate but which were not incorporated into or consumed in the construction of the project shall either be returned to the supplier for credit or the appropriate sales or use tax on such excess property or materials shall be reported on a return and paid by such contractor not later than the due date of the contractor's Missouri sales or use tax return following the month in which it was determined that the materials were not to be used in the project.

5. No contractor or material supplier shall, upon audit, be required to pay tax on tangible personal property and materials incorporated into or consumed in the construction of the project, due to the failure of the exempt entity to revise the certificate expiration date as necessary to complete any work required by the contract. If it is determined that tax is owed on such property and materials due to the failure of the exempt entity to revise such certificate expiration date, the exempt entity shall be liable for the tax owed.

6. If an entity issues exemption certificates for the purchase of tangible personal property and materials which are incorporated into or consumed in the construction of its project and such entity is found not to have had the authority granted by this section to issue such exemption certificates, then such entity shall be liable for the tax owed on such personal property and materials. In addition, if an entity which does have the authority granted by this section to issue exemption certificates issues such certificates for the purchase of tangible personal property and materials which are incorporated into or consumed in the construction of a project, or part of a project, which is found not to be related to such entity's exempt functions and activities, then such entity shall be liable for the tax owed on such personal property and materials."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 1** was adopted.

Representative Burnett offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 39, Section 302.720, Pages 7 through 9, by removing said section from the bill; and

Further amend said bill, Page 12, Section 390.021, Line 83, by inserting after said line the following:

"390.025. Notwithstanding any other provision of law to the contrary, any entity created pursuant to sections 388.700 through 388.745, RSMo, shall not have the authority of taxation, eminent domain, condemnation or sovereign immunity."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burnett, **House Amendment No. 2** was adopted.

Representative St. Onge offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 39, Pages 1 and 2, Section 226.527, Lines 1 to 31, by deleting all of said lines; and

Further amend said bill, Page 5, Section 226.580, Line 84, by inserting after all of said line the following:

"227.103. 1. Notwithstanding any other provision of law to the contrary, the commission is authorized to accept an annual bid bond for its construction and maintenance projects. The commission shall prescribe the form and content of an annual bid bond pursuant to the procedures set forth in the Missouri standard specifications for highway construction, or its successor.

2. The commission is authorized to promulgate administrative rules to administer the provision in this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

227.107. 1. Notwithstanding any provision of section 227.100 to the contrary, as an alternative to the requirements and procedures specified by sections 227.040 to [227.100] **227.105**, the state highways and transportation commission is authorized to enter into highway design-build project contracts. The authority granted to the state highways and transportation commission by this section shall be limited to a total of three design-build project contracts. Two design-build projects authorized by this section shall be selected by the highways and transportation commission from 1992 fifteen year plan projects. Authority to enter into design-build projects granted by this section shall expire on July 1, 2012, unless extended by statute or upon completion of three projects, whichever is first.

2. For the purpose of this section a "design-builder" is defined as an individual, corporation, partnership, joint venture or other entity, including combinations of such entities making a proposal to perform or performing a design-build highway project contract.

3. For the purpose of this section, "design-build highway project contract" is defined as the procurement of all materials and services necessary for the design, construction, reconstruction or improvement of a state highway project in a single contract with a design-builder capable of providing the necessary materials and services.

4. For the purpose of this section, "highway project" is defined as the design, construction, reconstruction or improvement of highways or bridges under contract with the state highways and transportation commission, which is funded by state, federal or local funds or any combination of such funds.

5. In using a design-build highway project contract, the commission shall establish a written procedure by rule for prequalifying design-builders before such design-builders will be allowed to make a proposal on the project.

6. In any design-build highway project contract, whether involving state or federal funds, the commission shall require that each person submitting a request for qualifications provide a detailed disadvantaged business enterprise participation plan. The plan shall provide information describing the experience of the person in meeting disadvantaged business enterprise participation goals, how the person will meet the department of transportation's disadvantaged business enterprise participation goal and such other qualifications that the commission considers to be in the best interest of the state.

7. The commission is authorized to issue a request for proposals to a maximum of five design-builders prequalified in accordance with subsection 5 of this section.

8. The commission may require approval of any person performing subcontract work on the design-build highway project.

9. The bid bond and performance bond requirements of section 227.100 and the payment bond requirements of section 107.170, RSMo, shall apply to the design-build highway project.

10. The requirements of subsection 9 of this section may be modified by the commission for any design-build highway project contract which is designated by the commission as a "design-build-finance-maintain" project. For such projects, the commission shall require the design-builder to provide or cause to be provided such bonds in such terms, durations, and amounts as it may determine to be adequate for its protection and provided by a surety or sureties satisfactory to the commission, including but not limited to:

(1) A bid or proposal bond in an amount of not less than five million dollars;

(2) A performance bond or bonds for the construction period specified in the design-build highway project contract in an amount of not less than the maximum cost of construction work performed or caused to

be performed by the design-builder in any calendar year of such period and applicable for each year of such period; and

(3) A payment bond or bonds that shall be enforceable under section 522.300, RSMo, for the protection of all persons supplying labor and material in carrying out the work provided for in the design-build highway project contract. The amount of the payment bond or bonds shall equal the total amount payable under the terms of the design-build highway project contract unless the commission determines in writing supported by specific findings that a payment bond or bonds in such amount is impractical, in which case the commission shall establish the amount of the payment bond or bonds; except that the amount of the payment bond or bonds shall not be less than the amount of the performance bond or bonds.

[10.] 11. The commission is authorized to prescribe the form of the contracts for the work.

[11.] 12. The commission is empowered to make all final decisions concerning the performance of the work under the design-build highway project contract, including claims for additional time and compensation.

[12.] 13. The provisions of sections 8.285 to 8.291, RSMo, shall not apply to the procurement of architectural, engineering or land surveying services for the design-build highway project, except that any person providing architectural, engineering or land surveying services for the design-builder on the design-build highway project must be licensed in Missouri to provide such services.

[13.] 14. The commission shall pay a reasonable stipend to prequalified responsive design-builders who submit a proposal, but are not awarded the design-build highway project.

[14.] 15. The commission shall comply with the provisions of any act of congress or any regulations of any federal administrative agency which provides and authorizes the use of federal funds for highway projects using the design-build process.

[15.] 16. The commission shall promulgate administrative rules to implement this section or to secure federal funds. Such rules shall be published for comment in the Missouri Register and shall include prequalification criteria, the make-up of the prequalification review team, specifications for the design criteria package, the method of advertising, receiving and evaluating proposals from design-builders, the criteria for awarding the design-build highway project based on the design criteria package and a separate proposal stating the cost of construction, and other methods, procedures and criteria necessary to administer this section.

[16.] 17. The commission shall make a status report to the members of the general assembly and the governor following the award of the design-build project, as an individual component of the annual report submitted by the commission to the joint transportation oversight committee in accordance with the provisions of section 21.795, RSMo. The annual report prior to advertisement of the design-build highway project contracts shall state the goals of the project in reducing costs and/or the time of completion for the project in comparison to the design-bid-build method of construction and objective measurements to be utilized in determining achievement of such goals. Subsequent annual reports shall include: the time estimated for design and construction of different phases or segments of the project and the actual time required to complete such work during the period; the amount of each progress payment to the design-builder during the period and the percentage and a description of the portion of the project completed regarding such payment; the number and a description of design change orders issued during the period and the cost of each such change order; upon substantial and final completion, the total cost of the design-build highway project with a breakdown of costs for design and construction; and such other measurements as specified by rule. The annual report immediately after final completion of the project shall state an assessment of the advantages and disadvantages of the design-build method of contracting for highway and bridge projects in comparison to the design-bid-build method of contracting and an assessment of whether the goals of the project in reducing costs and/or the time of completion of the project were met.

[17.] 18. The commission shall give public notice of a request for qualifications in at least two public newspapers that are distributed wholly or in part in this state and at least one construction industry trade publication that is distributed nationally.

[18.] 19. The commission shall publish its cost estimates of the design-build highway project award and the project completion date along with its public notice of a request for qualifications of the design-build project.

[19.] 20. If the commission fails to receive **statements of qualifications from at least two design-builders in response to a request for qualifications under subsection 5 of this section or to receive** at least two responsive submissions from design-builders considered qualified[, submissions shall not be opened and it shall] **for a design-build highway project contract, the design build procurement process shall be suspended and the commission may** readvertise the project.

21. Notwithstanding the provisions of subsection 20 of this section to the contrary, the commission may use the following procurement process for a design-build highway project contract which is not designated by the commission as a "design-build-finance-maintain" project:

(1) In the event the commission issues a request for qualifications under subsection 5 of this section at least twice for such design-build highway project contract, and it receives a statement of qualifications from only one design builder for such contract, the commission may negotiate in good faith with the design-builder for such contract based upon the best value to the state;

(2) In the event the commission issues a request for proposals under subsection 7 of this section at least twice for such design-build highway project contract, and it receives only one responsive submission for such contract, the commission may negotiate in good faith with the design-builder for such contract based upon the best value to the state;

(3) At any time prior to the execution of the design-build highway project contract with the design-builder under this subsection, if the commission is not satisfied with the results of the negotiations with the design-builder, it may terminate the negotiations and reject any and all submissions and proposals by the design-builder."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Darrough raised a point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative St. Onge, **House Amendment No. 3** was adopted.

Representative Fallert offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 45 & 39, Page 7, Section 301.444, Line 57, by inserting after all of said line the following:

"302.177. 1. To all applicants for a license or renewal to transport persons or property classified in section 302.015 who are at least twenty-one years of age and under the age of seventy, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the sixth year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

2. To all applicants for a license or renewal to transport persons or property classified in section 302.015 who are less than twenty-one years of age or greater than sixty-nine years of age, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the third year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license. A license issued under this section to an applicant who is over the age of sixty-nine and contains a school bus endorsement shall not be issued for a period that exceeds one year.

3. To all other applicants for a license or renewal of a license who are at least twenty-one years of age and under the age of seventy, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the sixth year of issuance, unless the license must be issued for a shorter period due to other

requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

4. To all other applicants for a license or renewal of a license who are less than twenty-one years of age or greater than sixty-nine years of age, and who submit a satisfactory application and meet the requirements of sections 302.010 to 302.605, the director shall issue or renew such license; except that no license shall be issued if an applicant's license is currently suspended, canceled, revoked, disqualified, or deposited in lieu of bail. Such license shall expire on the applicant's birthday in the third year of issuance, unless the license must be issued for a shorter period due to other requirements of law or for transition or staggering of work as determined by the director. The license must be renewed on or before the date of expiration, which date shall be shown on the license.

5. The fee for a license issued for a period which exceeds three years under subsection 1 of this section shall be thirty dollars.

6. The fee for a license issued for a period of three years or less under subsection 2 of this section shall be fifteen dollars, except that the fee for a license issued for one year or less which contains a school bus endorsement shall be five dollars, **except renewal fees shall be waived for applicants seventy years of age or older seeking school bus endorsements.**

7. The fee for a license issued for a period which exceeds three years under subsection 3 of this section shall be fifteen dollars.

8. The fee for a license issued for a period of three years or less under subsection 4 of this section shall be seven dollars and fifty cents.

9. Beginning July 1, 2005, the director shall not issue a driver's license for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license issued under this section.

10. The director of revenue may adopt any rules and regulations necessary to carry out the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend said bill, Page 8, Section 302.720, Line 31, by deleting all of said line and inserting in lieu thereof the following:

"applicant upon completion of any written or driving test, **except the renewal fee shall be waived for applicants seventy years of age or older seeking school bus endorsements.** The director shall delegate the power"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self

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Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 063

Aull	Bland	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock	Whorton	Wildberger

On motion of Representative Stevenson, **HCS SCS SBs 45 & 39, as amended**, was adopted.

On motion of Representative Stevenson, **HCS SCS SBs 45 & 39, as amended**, was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Lowe 44	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson

St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 014

Bowman	Brown 50	Burnett	Curls	Harris 110
Hughes	LeVota	Low 39	McClanahan	Nasheed
Norr	Oxford	Skaggs	Wright-Jones	

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Haywood	Marsh	Meadows	Salva
Schoemehl	Spreng	Viebrock	Whorton	Wildberger

Speaker Jetton declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 364**, entitled:

An act to repeal sections 103.085, 143.121, 376.426, 376.776, 376.960, 376.961, 376.964, 376.966, 376.986, 376.989, 379.930, 379.936, 379.938, 379.940, 379.942, 379.943, 379.944, and 379.952, RSMo, and to enact in lieu thereof twenty-eight new sections relating to health insurance, with an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 741**, entitled:

An act to repeal sections 30.750, 30.753, 30.756, 30.758, 30.760, 30.765, 142.031, RSMo, and to enact in lieu thereof thirty-five new sections relating to programs administered by the department of economic development, with penalty provisions.

With Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 2

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Pages 19-51, Sections 99.1100, 99.1102, 99.1104, 99.1106, 99.1108, 99.1110, 99.1112, 99.1114, 99.1116, 99.1118, 99.1120, 99.1122, 99.1124, 99.1126, 99.1128 and 99.1130, by striking all of said sections from the bill and inserting in lieu thereof the following:

"99.1100. 1. The joint committee on tax policy shall conduct a study of the feasibility of creating a program to allow municipalities within the state to engage in tax increment finance-like projects with optional tax abatement in any area of such municipality regardless of the existence of blight. The committee shall report its findings to the general assembly no later than December 31, 2007.

2. The provisions of this section shall expire on January 1, 2008."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Page 1, Title, Line 3, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after "RSMo," the following:

"and sections 99.820 and 99.825 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute for house bill no. 327, ninety-fourth general assembly, first regular session,"; and

Further amend Line 4, by inserting immediately after "30.765," the following:

"99.820, 99.825,"; and

Further amend said bill, Page 19, Section 30.765, Line 9 of said page, by inserting after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

- (9) Acquire and construct public facilities within a redevelopment area;
- (10) Incur redevelopment costs and issue obligations;
- (11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;
- (12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for any county with a charter form of government and with more than one million inhabitants, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given

written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. Effective January 1, 2008, if, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill, Page 92, Section 265.525, Line 21, by inserting after all of said line the following:

"[99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) In a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for a first class county with a charter form of government having a population of more than nine hundred thousand, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, three such members appointed either by the county executive or county commissioner, and six such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) When any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the

municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.]

[99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Page 51, Section 99.1130, Line 25, by inserting after all of said line the following:

"135.535. 1. A corporation, limited liability corporation, partnership or sole proprietorship, which moves its operations from outside Missouri or outside a distressed community into a distressed community, or which commences operations in a distressed community on or after January 1, 1999, and in either case has more than seventy-five percent of its employees at the facility in the distressed community, and which has fewer than one hundred employees for whom payroll taxes are paid, and which is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming, including Internet, web hosting, and other information technology, wireless or wired or other telecommunications or a professional firm shall receive a forty percent credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, for each of the three years after such move, if approved by the department of economic development, which shall issue a certificate of eligibility if the department determines that the taxpayer is eligible for such credit. The maximum amount of credits per taxpayer set forth in this subsection shall not exceed one hundred twenty-five thousand dollars for each of the three years for which the credit is claimed. The department of economic development, by means of rule or regulation promulgated pursuant to the provisions of chapter 536, RSMo, shall assign appropriate North American Industry Classification System numbers to the companies which are eligible for the tax credits provided for in this section. Such three-year credits shall be awarded only one time to any company which moves its operations from outside of Missouri or outside of a distressed community into a distressed community or to a company which commences operations within a distressed community. A taxpayer shall file an application for certification of the tax credits for the first year in which credits are claimed and for each of the two succeeding taxable years for which credits are claimed.

2. Employees of such facilities physically working and earning wages for that work within a distressed community whose employers have been approved for tax credits pursuant to subsection 1 of this section by the department of economic development for whom payroll taxes are paid shall also be eligible to receive a tax credit against individual income tax, imposed pursuant to chapter 143, RSMo, equal to one and one-half percent of their gross salary paid at such facility earned for each of the three years that the facility receives the tax credit provided by this section, so long as they were qualified employees of such entity. The employer shall calculate the amount of such credit and shall report the amount to the employee and the department of revenue.

3. A tax credit against income taxes owed pursuant to chapter 143, 147 or 148, RSMo, other than the taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in lieu of the credit against income taxes as provided in subsection 1 of this section, may be taken by such an entity in a distressed community in an amount of forty percent of the amount of funds expended for computer equipment and its maintenance, medical laboratories and equipment, research laboratory equipment, manufacturing equipment, fiber optic equipment, high speed telecommunications, wiring or software development expense up to a maximum of seventy-five thousand dollars in tax credits for such equipment or expense per year per entity and for each of three years after commencement in or moving operations into a distressed community.

4. A corporation, partnership or sole partnership, which has no more than one hundred employees for whom payroll taxes are paid, which is already located in a distressed community and which expends funds for such equipment pursuant to subsection 3 of this section in an amount exceeding its average of the prior two years for such equipment, shall be eligible to receive a tax credit against income taxes owed pursuant to chapters 143, 147 and 148, RSMo, in an amount equal to the lesser of seventy-five thousand dollars or twenty-five percent of the funds expended for such additional equipment per such entity. Tax credits allowed pursuant to this subsection or subsection 1 of this section may be carried back to any of the three prior tax years and carried forward to any of the five tax years.

5. An existing corporation, partnership or sole proprietorship that is located within a distressed community and that relocates employees from another facility outside of the distressed community to its facility within the distressed community, and an existing business located within a distressed community that hires new employees for that facility may both be eligible for the tax credits allowed by subsections 1 and 3 of this section. To be eligible for such tax credits, such a business, during one of its tax years, shall employ within a distressed community at least twice as many employees as were employed at the beginning of that tax year. A business hiring employees shall have no more than one hundred employees before the addition of the new employees. This subsection shall only apply to a business which

is a manufacturing, biomedical, medical devices, scientific research, animal research, computer software design or development, computer programming or telecommunications business, or a professional firm.

6. Tax credits shall be approved for applicants meeting the requirements of this section in the order that such applications are received. Certificates of tax credits issued in accordance with this section may be transferred, sold or assigned by notarized endorsement which names the transferee.

7. The tax credits allowed pursuant to subsections 1, 2, 3, 4 and 5 of this section shall be for an amount of no more than ten million dollars for each year beginning in 1999. **To the extent there are available tax credits remaining under the ten million dollar cap provided in this section, up to one hundred thousand dollars in the remaining credits shall first be used for tax credits authorized under section 135.562.** The total maximum credit for all entities already located in distressed communities and claiming credits pursuant to subsection 4 of this section shall be seven hundred and fifty thousand dollars. The department of economic development in approving taxpayers for the credit as provided for in subsection 6 of this section shall use information provided by the department of revenue regarding taxes paid in the previous year, or projected taxes for those entities newly established in the state, as the method of determining when this maximum will be reached and shall maintain a record of the order of approval. Any tax credit not used in the period for which the credit was approved may be carried over until the full credit has been allowed.

8. A Missouri employer relocating into a distressed community and having employees covered by a collective bargaining agreement at the facility from which it is relocating shall not be eligible for the credits in subsection 1, 3, 4 or 5 of this section, and its employees shall not be eligible for the credit in subsection 2 of this section if the relocation violates or terminates a collective bargaining agreement covering employees at the facility, unless the affected collective bargaining unit concurs with the move.

9. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits allowed in this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions, and refund otherwise allowed in sections 135.200, 135.220, 135.225 and 135.245, respectively, for the same business for the same tax period.

135.562. 1. If any taxpayer with a federal adjusted gross income of thirty thousand dollars or less incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, such taxpayer shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of one hundred percent of such costs or two thousand five hundred dollars per taxpayer, per tax year.

2. Any taxpayer with a federal adjusted gross income greater than thirty thousand dollars but less than sixty thousand dollars who incurs costs for the purpose of making all or any portion of such taxpayer's principal dwelling accessible to an individual with a disability who permanently resides with the taxpayer, shall receive a tax credit against such taxpayer's Missouri income tax liability in an amount equal to the lesser of fifty percent of such costs or two thousand five hundred dollars per taxpayer, per tax year. No taxpayer shall be eligible to receive tax credits under this section in any tax year immediately following a tax year in which such taxpayer received tax credits under the provisions of this section.

3. Tax credits issued pursuant to this section may be refundable in an amount not to exceed two thousand five hundred dollars per tax year.

4. Eligible costs for which the credit may be claimed include:

- (1) Constructing entrance or exit ramps;**
- (2) Widening exterior or interior doorways;**
- (3) Widening hallways;**
- (4) Installing handrails or grab bars;**
- (5) Moving electrical outlets and switches;**
- (6) Installing stairway lifts;**
- (7) Installing or modifying fire alarms, smoke detectors, and other alerting systems;**
- (8) Modifying hardware of doors; or**
- (9) Modifying bathrooms.**

5. The tax credits allowed, including the maximum amount that may be claimed, pursuant to this section shall be reduced by an amount sufficient to offset any amount of such costs a taxpayer has already deducted from such taxpayer's federal adjusted gross income or to the extent such taxpayer has applied any other state or federal income tax credit to such costs.

6. A taxpayer shall claim a credit allowed by this section in the same taxable year as the credit is issued, and at the time such taxpayer files his or her Missouri income tax return; provided that, such return is timely filed.

7. The department may, in consultation with the department of social services, promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The provisions of this section shall apply to all tax years beginning on or after January 1, 2008.

9. The provisions of this section shall expire December 31, 2013.

10. In no event shall the aggregate amount of all tax credits allowed pursuant to this section exceed one hundred thousand dollars in any given fiscal year. The tax credits issued pursuant to this section shall be on a first-come, first-served filing basis."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Pages 51-55, Section 135.1200, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for House Committee Substitute for House Bill No. 741, Page 62, Section 251.603, Lines 23-28, by striking all of said lines; and

Further amend said bill and section, Page 63, Lines 1-3, by striking all of said lines; and

Further renumber the remaining subdivisions accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 86, as amended**, and has taken up and passed **CCS#2 HCS SCS SB 86**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 299 & SS SCS SB 616, as amended**, and has taken up and passed **CCS HCS SCS SB 299 & SS SCS SB 616**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE BILL NO. 665**

The Conference Committee appointed on Senate Substitute for House Bill No. 665, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 665, as amended;
2. That the House recede from its position on House Bill No. 665;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 665, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Doug Ervin
/s/ Tim Flook
/s/ Michael Sutherland
/s/ Rachel Bringer
/s/ Trent Skaggs

FOR THE SENATE:

/s/ Luann Ridgeway
/s/ John Griesheimer
/s/ Kevin Engler
/s/ Wes Shoemyer
/s/ Harry Kennedy

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 3**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3, with House Amendment Nos. 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 3;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 3 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael Gibbons
/s/ Charles Shields
/s/ Chuck Purgason
/s/ Jolie Justus
/s/ Timothy Green

FOR THE HOUSE:

/s/ Bryan Stevenson
/s/ Charles Portwood
/s/ Allen Icet
/s/ Regina Walsh
/s/ Michael Corcoran

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 22**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, with HA 1 to HA 1, HA 1 as amended, HA 1 to HA 2, HA 2 as amended, HA 2 to HA 3, HA 3 as amended, HA 1 to HA 4, HA 4 as amended, HA 5, HSA 1 for HA 6, HA 1 to HSA 1 for HA 6, HSA 1 for HA 6 as amended, HA Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, HA 1 to HA 23, HA 23 as amended, HA Nos. 25, 26, 27, 28, HA 1 to HA 30, HA 30 as amended, HA 1 to HA 31, HA 31 as amended, HA Nos. 33 and 35, HA 1 to HA 36, HA 36 as amended, HA Nos. 37, 38, 40, 41, 42, HA 1 to HA 43, HA 43 as amended, HA Nos. 44 and 45, HA 1 to HA 46, HA 2 to HA 46, HA 46 as amended, HA Nos. 47, 48, 49 and 50, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 22;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, as amended by Conference Committee No. 1, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Griesheimer
/s/ Kevin Engler
/s/ Victor Callahan
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Vicki Schneider
/s/ Charlie Denison
/s/ Bryan Pratt
/s/ Thomas Villa
/s/ Terry Young

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, Pages 7-8, Section 50.327, by striking all of said section from the bill; and

Further amend said bill, Pages 8-9, Section 50.332, by striking all of said section from the bill; and

Further amend said bill, Pages 155-157, Section 105.452, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 86

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 86, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 86, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 86;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 86, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Norma Champion
/s/ Brad Lager
/s/ John Griesheimer
/s/ Joan Bray
/s/ Harry Kennedy

FOR THE HOUSE:

/s/ Michael Sutherland
/s/ Shannon Cooper
/s/ Bryan Stevenson
/s/ Maria Chappelle-Nadal
/s/ Charles Zweifel

CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 255

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 255, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, and Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 255, as amended;
2. That the House recede from its position on House Bill No. 255;

3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for House Bill No. 255, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Mark Bruns
/s/ Nathan Cooper
/s/ Michael Corcoran
/s/ David Sater
/s/ Regina Walsh

FOR THE SENATE:

/s/ Carl Vogel
/s/ Delbert Scott
/s/ Luann Ridgeway
/s/ Timothy Green
/s/ Wes Shoemyer

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 313**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, and House Amendment No. 2, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 313;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Delbert Scott
/s/ Brad Lager
/s/ Kevin Engler
/s/ Harry Kennedy
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Mike Sutherland
/s/ Jay Wasson
/s/ Shannon Cooper

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 516**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 516, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8 as amended, House Amendment No. 9, House Amendment No. 11, and House Amendment No. 14, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 516, as amended;
2. That the Senate recede from its position on Senate Bill No. 516;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 516, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman
/s/ Matt Bartle
/s/ Jason Crowell
/s/ Frank Barnitz
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Bryan Pratt
/s/ Tim Flook
/s/ Jason Smith
/s/ John Burnett
/s/ Connie Johnson

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 299
AND
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 616**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, with House Amendments Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 299 and Senate Substitute for Senate Committee Substitute for Senate Bill No. 616, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Chuck Purgason
/s/ John Griesheimer
/s/ Kevin Engler
/s/ Ryan McKenna
/s/ Yvonne Wilson

FOR THE HOUSE:

/s/ Steven Tilley
/s/ Bryan Pratt
/s/ Shannon Cooper
/s/ Thomas A. Villa
/s/ Mike Talboy

RECESS

On motion of Representative Dempsey, the House recessed until the Conference Committee Reports on **HCS SS SCS SB 577**, **HCS SS SCS SB 429** and **HCS SB 582** have been distributed and stand adjourned until 11:00 a.m., Friday, May 18, 2007.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 429**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, with House Amendments Nos. 1 and 2 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, House Amendment No. 1 to House Amendment No. 16, House Amendment No. 16, as amended, House Amendments Nos. 19, 20, 21, 22, 23, 25, 27, 28, 29, 30, and 33, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 429;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 429, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael R. Gibbons
/s/ Jack A. L. Goodman
/s/ Matt Bartle
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Mark Bruns
/s/ Stanley Cox
/s/ Rick Stream
/s/ Jeff Roorda

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 577**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment No. 2, Part 1 to House

Amendment No. 3, Part 3 to House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, House Amendment No. 10, House Amendment No. 11, House Amendment No. 12, House Amendment No. 16, House Amendment No. 17, House Amendment No. 19, House Amendment No. 20, House Amendment No. 21, House Amendment No. 25, and House Amendment No. 26, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 577;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 577, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Charlie Shields
/s/ Chuck Purgason
/s/ Michael Gibbons
/s/ Harry Kennedy
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ Rob Schaaf
/s/ Steve Hunter
/s/ David Sater

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 582**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 582, with House Amendment Nos. 1, 2 and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 582, as amended;
2. The Senate recede from its position on Senate Bill No. 582;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 582, as amended, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Wes Shoemyer
/s/ John Griesheimer
/s/ Gary Nodler
/s/ Carl Vogel
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Michael Sutherland
/s/ Bryan Stevenson
/s/ Shannon Cooper
/s/ Rachel Storch
/s/ Clint Zweifel

ADJOURNMENT

Pursuant to the motion of Representative Dempsey, the House adjourned until 11:00 a.m., Friday, May 18, 2007.

COMMITTEE MEETING

FISCAL REVIEW

Friday, May 18, 2007, 8:00 a.m. Hearing Room 1.
Any bills referred to the Fiscal Review Committee.

HOUSE CALENDAR

SEVENTY-EIGHTH DAY, FRIDAY, MAY 18, 2007

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 21 - Cooper (120)
- 2 HCS HJR 9 - Dethrow
- 3 HJR 6 - Bruns
- 4 HCS HJR 20 - Bearden
- 5 HCS HJR 31 - Lembke

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 90, HA 1, pending - St. Onge
- 2 HCS HB 889 - Emery
- 3 HCS HB 111, as amended, HA 2, pending - Cunningham (145)
- 4 HCS HB 466 - Schaaf
- 5 HCS HB 771 - Bearden
- 6 HCS HBs 180, 396 & 615 - Day
- 7 HCS HB 238 - Yates
- 8 HB 360, HSA 1 for HA 1, HA 1, pending - Robb
- 9 HCS HB 788 - Cooper (155)
- 10 HCS HB 218 - Stevenson
- 11 HCS HB 811 - Schad
- 12 HB 412 - Emery
- 13 HB 432 - Schaaf
- 14 HCS HB 699 - Tilley
- 15 HCS HB 768 - St. Onge
- 16 HCS HB 122 - Nance
- 17 HCS HB 487 - Cooper (120)
- 18 HCS HB 493 - Baker (123)
- 19 HCS HB 512 - Pratt
- 20 HCS HB 261, as amended - Yates
- 21 HB 746 - Franz

- 22 HB 882 - Page
- 23 HCS HB 1002 - Fisher
- 24 HCS HB 124 - Nance
- 25 HCS HB 765, HA 1, pending - Dempsey
- 26 HCS HBs 807 & 690 - Baker (123)
- 27 HCS HB 121 - Nance
- 28 HB 249 - Moore
- 29 HCS HB 252 - Robb
- 30 HCS HB 417 - Cunningham (86)
- 31 HCS HB 478 - Dethrow
- 32 HCS HB 490 - Baker (123)
- 33 HCS HB 508 - Schaaf
- 34 HCS HB 709 - Dethrow
- 35 HB 821, HA 1, pending - Onder
- 36 HCS HB 995 - Hobbs
- 37 HCS#2 HB 85 - Kraus
- 38 HCS HB 399 - Walton
- 39 HCS HB 624 - Wilson (119)
- 40 HCS#2 HB 752 - Sutherland
- 41 HCS HB 1000 - Storch
- 42 HCS HB 1044 - Deeken
- 43 HCS HB 244 - Wells
- 44 HCS HB 587 - Tilley
- 45 HCS HB 628 - Loehner
- 46 HCS HB 629 - Hunter
- 47 HCS HB 872 - Cooper (158)
- 48 HCS HB 913 - Cooper (120)
- 49 HB 932 - Grill
- 50 HCS HB 1089 - Stevenson
- 51 HCS HB 347 - Munzlinger
- 52 HB 439 - Hunter
- 53 HCS HB 630 - Schlottach
- 54 HB 646 - Young
- 55 HCS HB 919 - Schneider
- 56 HCS HB 944 - Cooper (120)
- 57 HCS HB 1264 - Page
- 58 HCS HB 425 - Pearce
- 59 HCS HB 429 - Jones (117)
- 60 HCS HB 716 - Davis
- 61 HCS HB 95 - Sater
- 62 HB 479 - Darrough
- 63 HB 733 - Page
- 64 HCS HB 769 - Bruns
- 65 HCS HB 802, *HA 2 to HA 1, HA 1, pending - Page
- 66 HB 1155 - Wright-Jones
- 67 HCS HB 442 - Kingery
- 68 HB 727 - Portwood
- 69 HB 888 - Grisamore
- 70 HCS HB 923 - Kratky
- 71 HB 1251 - Komo
- 72 HCS HB 331 - Lipke
- 73 HCS#2 HB 735 - Cooper (158)
- 74 HCS HB 833 - Wasson
- 75 HB 1104 - Hughes

- 76 HCS HBs 112, 26, 37, 78, 79 & 154 - Pearce
- 77 HCS HB 886 - Schlottach
- 78 HCS HB 869 - Holsman
- 79 HB 1052 - Brown (50)
- 80 HCS HB 1272 - El-Amin
- 81 HCS HB 1023 - Quinn (7)
- 82 HCS HB 1108 - Pratt
- 83 HCS#2 HBs 406 & 726 - Cox
- 84 HCS HB 968 - Bivins
- 85 HB 1034 - Emery

HOUSE CONCURRENT RESOLUTION FOR THIRD READING

HCR 49, (4-23-07, Pages 1277-1278) - Portwood

HOUSE BILL FOR THIRD READING

HCS HBs 365, 804 & 805, (Fiscal Review 4-03-07) - Ervin

HOUSE BILL FOR THIRD READING - CONSENT

HB 910 - Fares

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 28, (2-27-07, Pages 438-439) - Walton
- 2 HCS HCR 21, (3-29-07, Pages 852-853) - Dethrow
- 3 HCR 33, (3-30-07, Pages 872-873) - Guest
- 4 HCR 43, (4-12-07, Pages 1081-1082) - Page
- 5 HCS HCR 26, (3-14-07, Pages 686-688) - El-Amin
- 6 HCR 54, (4-18-07, Pages 1202-1203) - Sutherland
- 7 HCR 38, (4-19-07, Page 1248) - Wright
- 8 HCR 44, (4-24-07, Page 1314) - Smith (14)
- 9 HCS HCR 45, (4-25-07, Page 1347) - Roorda
- 10 HCS HCR 5, (5-08-07, Pages 1618-1619) - Burnett

SENATE BILLS FOR THIRD READING

- 1 SB 135 - Kingery
- 2 HCS SCS SB 232 - Cooper (158)
- 3 HCS SCS SB 520 - Hunter
- 4 HCS SB 593 & SCS SB 594 - May
- 5 SB 648 - Kelly
- 6 HCS SB 218 - Deeken
- 7 SB 271 - Pearce
- 8 HCS SCS SB 52, (Fiscal Review reported Do Not Pass), E.C. - St. Onge
- 9 SB 171 - Wasson
- 10 HCS SCS SB 197 - Yates
- 11 HCS SS SCS SBs 255, 249 & 279, E.C. - Muschany
- 12 SS SB 417 - Parson
- 13 HCS SB 419 - Hobbs
- 14 SCS SB 525 - Wasson
- 15 SCS SB 526 - Wasson
- 16 HCS SS SCS SB 5, E.C. - Cox

- 17 HCS SS SCS SB 85 - Dixon
- 18 SS SCS SB 215, HCA 1 - Yates
- 19 HCS SB 323 - Baker (25)
- 20 HCS SB 325 - Yates
- 21 HCS SCS SB 328 - Robb
- 22 SB 481 - Pratt
- 23 SCS SB 482 - Bearden
- 24 SB 671 - Pratt
- 25 SS SCS SB 21, E.C. - Schlottach
- 26 HCS SS SB 40 - Ervin
- 27 HCS SCS SB 75 - Day
- 28 HCS#2 SCS SB 163 - Pratt
- 29 HCS SCS SB 368 - Pratt
- 30 HCS SS SCS SB 428, E.C. - Quinn (7)
- 31 SB 605 - St. Onge
- 32 SCS SB 611 - Pratt
- 33 HCS SS SB 654 - Kratky
- 34 SB 140 - Cunningham (86)
- 35 HCS SS#2 SCS SB 204 - Hobbs
- 36 HCS SS SB 358, E.C. - Jones (117)
- 37 SCS SB 420, E.C. - Richard
- 38 SCS SB 530 - Dempsey
- 39 HCS SB 543 - St. Onge
- 40 HCS SCS SB 664 - Wasson
- 41 SB 164, HCA 1 - Wasson

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 69, as amended, E.C. - Day
- 2 SS HB 744, as amended - St. Onge
- 3 SS HCS HB 741, as amended - Pearce
- 4 SS HCS HB 364 - Ervin

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 156, as amended, E.C. - Quinn (7)
(Senate refuse to adopt/request further conference)

BILLS IN CONFERENCE

- 1 CCR SS HB 665, as amended - Ervin
- 2 CCR#2 HCS#2 SB 406, as amended - Wallace
- 3 CCR#2 SS SCS HB 255, as amended, E.C. - Bruns
- 4 CCR HCS SS SCS SB 577, as amended, E.C. - Schaaf
- 5 SCS HCS HB 159 - Bivins
- 6 CCR HCS SS SCS SB 429, as amended - Stream
- 7 CCR#2 SCS SB 313, as amended - Sutherland
- 8 CCR#2 HCS SS SCS SB 22, as amended, E.C. - Schneider
- 9 CCR HCS SB 516, as amended - Pratt
- 10 CCR HCS SCS SB 299 & SS SCS SB 616, as amended - Cooper (120)
- 11 CCR HCS#2 SS SCS SB 3 - Stevenson
- 12 CCR#2 HCS SCS SB 86, as amended, E.C. - Sutherland
- 13 CCR#2 HCS SB 582, as amended - Sutherland

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-EIGHTH DAY, FRIDAY, MAY 18, 2007

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Msgr. Donald W. Lammers.

"The law of the Lord is perfect,
refreshing the soul."
(Psalm 19:8a)

Holy Lord, our God, we pray that the outcome of our work in this 2007 Session give support and honor to the perfection of Your law.

(A blessing upon all of you on the last day of this Session)

May God strengthen you and bring your work to completion.
May hope accompany your journey through the days to come.
May God's abiding presence be with you
All the days of your life. Amen.
(Book of Blessings)

The Pledge of Allegiance to the flag was recited.

The Journal of the seventy-seventh day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3796 through House Resolution No. 3825

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 582, as amended**: Senators Shoemyer, Griesheimer, Nodler, Vogel and Callahan.

BILLS IN CONFERENCE

CCR#2 HCS#2 SB 406, as amended, relating to employee benefit plans, was taken up by Representative Wallace.

On motion of Representative Wallace, **CCR#2 HCS#2 SB 406**, as amended, was adopted by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Bruns	Corcoran	Darrough
Haywood	Hoskins	Meadows	Meiners	Pearce
Sander	Schneider	Schoemehl	Sutherland	Walton
Young				

On motion of Representative Wallace, **CCS#2 HCS#2 SB 406** was truly agreed to and finally passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Day	Deeken	Dempsey

Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Bowman	Cooper 120	Cooper 155	Davis
Hobbs	Hoskins	Hunter	Kelly	McGhee
Meadows	Page	Pearce	Schoemehl	Tilley
Wasson	Wildberger			

Speaker Pro Tem Bearden declared the bill passed.

CCR HCS#2 SS SCS SB 3, relating to mental health reform, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **CCR HCS#2 SS SCS SB 3** was adopted by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins

Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Cooper 120	Cox
Dethrow	Ervin	Frame	Kelly	Lembke
Meadows	Page	Pearce	Richard	Schoemehl
Swinger				

On motion of Representative Stevenson, **CCS HCS#2 SS SCS SB 3** was truly agreed to and finally passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Burnett
Casey	Chappelle-Nadal	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Robb	Robinson	Roorda	Rucker
Ruzicka	Salva	Sander	Sater	Scavuzzo

Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Bowman	Brown 50	Bruns	Cooper 120
Cooper 155	Dethrow	Dusenberg	Hunter	Kelly
Meadows	Pearce	Richard	Ruestman	Schoemehl
Wasson				

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF SENATE BILL

SS SCS SB 215, with House Committee Amendment No. 1, relating to the regulation of insurance companies, was taken up by Representative Yates.

Representative Yates moved that **House Committee Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Yates, **SS SCS SB 215** was truly agreed to and finally passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Bearden	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker

Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 009

Bowman	Burnett	Frame	Johnson	Kuessner
Low 39	Lowe 44	Vogt	Whorton	

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker 123	Bland	Flook	Meadows	Nance
Page	Schoemehl			

Speaker Pro Tem Bearden declared the bill passed.

BILLS IN CONFERENCE

CCR HCS SCS SB 299 & SS SCS SB 616, as amended, relating to liquor control, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **CCR HCS SCS SB 299 & SS SCS SB 616, as amended**, was adopted by the following vote:

AYES: 132

Aull	Avery	Baker 25	Bearden	Bivins
Brandom	Brown 30	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cooper 158	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Day	Deeken
Dempsey	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Loehner	Low 39	Lowe 44	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Salva	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Smith 14

Smith 150	Spreng	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Weter	Wildberger
Wilson 130	Witte	Wright-Jones	Yaeger	Yates
Young	Mr Speaker			

NOES: 021

Baker 123	Bowman	Bringer	Chappelle-Nadal	Corcoran
Darrough	Davis	Dethrow	Ervin	Harris 110
Kuessner	Marsh	Pollock	Skaggs	Stevenson
Wells	Whorton	Wilson 119	Wood	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Brown 50	Kelly	Lipke	Meadows
Page	Pearce	Schoemehl	St. Onge	Wright 159

On motion of Representative Cooper (120), **CCS HCS SCS SB 299 & SS SCS SB 616** was truly agreed to and finally passed by the following vote:

AYES: 130

Aull	Avery	Baker 25	Bearden	Bivins
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Day	Deeken
Dempsey	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Pearce	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Weter	Wildberger	Wilson 130
Witte	Wright 159	Yates	Young	Mr Speaker

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NOES: 023

Baker 123	Bowman	Bringer	Chappelle-Nadal	Corcoran
Darrough	Davis	Dethrow	Ervin	Harris 110
Kelly	Kuessner	Marsh	Nasheed	Pollock
Sater	Skaggs	Wells	Whorton	Wilson 119
Wood	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Cooper 158	Meadows	Page	Parson
Schoemehl	Self	Wasson	Wright-Jones	Yaeger

Speaker Pro Tem Bearden declared the bill passed.

CCR#2 HCS SS SCS SB 22, as amended, relating to political subdivisions, was taken up by Representative Schneider.

Representative Schneider moved that **CCR#2 HCS SS SCS SB 22, as amended**, be adopted.

Representative Portwood made a substitute motion that the House refuse to adopt **CCR#2 HCS SS SCS SB 22, as amended**, and request the Senate grant the House further conference thereon, and bind the conferees to the House position on House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6, House Amendment No. 9, House Amendment No. 14, House Amendment No. 19, House Amendment No. 28, House Amendment No. 30, as amended, and House Amendment No. 38 to **HCS SS SCS SB 22**.

Which motion was defeated by the following vote:

AYES: 030

Aull	Baker 123	Bivins	Bringer	Burnett
Chappelle-Nadal	Davis	El-Amin	Harris 23	Harris 110
Hodges	Hoskins	Komo	Kuessner	Lembke
LeVota	Low 39	McClanahan	Meadows	Norr
Quinn 9	Schieffer	Shively	Silvey	Skaggs
Swinger	Todd	Wildberger	Witte	Yaeger

NOES: 120

Bearden	Bowman	Brandom	Brown 30	Brown 50
Bruns	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Day	Decken	Dempsey
Denison	Dethrow	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Haywood	Hobbs
Holsman	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Kratky	Kraus	Lampe	Liese	Lipke
Loehner	Lowe 44	May	McGhee	Meiners
Munzlinger	Nance	Nasheed	Nieves	Nolte
Onder	Oxford	Page	Parson	Pearce

Pollock	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Young	Zweifel	Mr Speaker

PRESENT: 002

Avery Smith 14

ABSENT WITH LEAVE: 011

Baker 25	Bland	Dixon	Grill	Marsh
Moore	Muschany	Portwood	Schoemehl	Wright-Jones
Zimmerman				

On motion of Representative Schneider, **CCR#2 HCS SS SCS SB 22, as amended**, was adopted by the following vote:

AYES: 119

Aull	Baker 25	Bearden	Bowman	Brandom
Brown 30	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Day
Deeken	Dempsey	Denison	Dixon	Dougherty
Dusenberg	Emery	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	George
Grisamore	Guest	Haywood	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Lampe	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meiners	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pollock
Pratt	Quinn 7	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Yaeger	Young	Zweifel	Mr Speaker	

NOES: 035

Avery	Baker 123	Bivins	Bringer	Burnett
Chappelle-Nadal	Davis	Dethrow	Donnelly	El-Amin
Ervin	Flook	Grill	Harris 23	Harris 110
Hodges	Holsman	Kraus	Kuessner	Lembke

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LeVota	McClanahan	Meadows	Nasheed	Portwood
Quinn 9	Scavuzzo	Schieffer	Shively	Silvey
Todd	Wells	Witte	Yates	Zimmerman

PRESENT: 002

Skaggs	Smith 14
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ABSENT WITH LEAVE: 007

Bland	Icet	Marsh	Moore	Pearce
Schoemehl	Wright-Jones			

On motion of Representative Schneider, **CCS HCS SS SCS SB 22, as amended by Conference Committee Amendment No. 1 and Senate Amendment No. 1**, was truly agreed to and finally passed by the following vote:

AYES: 123

Aull	Baker 25	Bearden	Bowman	Brandom
Brown 30	Bruns	Burnett	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Day
Deeken	Dempsey	Denison	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Frame	Franz	Funderburk
George	Grisamore	Guest	Haywood	Hobbs
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Young	Zweifel	Mr Speaker		

NOES: 031

Avery	Baker 123	Bivins	Bringer	Chappelle-Nadal
Davis	Dethrow	Donnelly	Ervin	Flook
Grill	Harris 23	Harris 110	Hodges	Holsman
Kraus	Kuessner	LeVota	McClanahan	Meadows
Nasheed	Oxford	Quinn 9	Scavuzzo	Schieffer
Shively	Todd	Wells	Witte	Yates
Zimmerman				

PRESENT: 002

Skaggs Smith 14

ABSENT WITH LEAVE: 007

Bland	Brown 50	Hughes	Marsh	Page
Schoemehl	Wright-Jones			

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton assumed the Chair.

The emergency clause was defeated by the following vote:

AYES: 038

Baker 25	Bearden	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Denison	Fares	Fisher	Haywood
Hoskins	Hubbard	Hunter	Lampe	Liese
Loehner	Nance	Nieves	Parson	Pollock
Ruestman	Sander	Sater	Schaaf	Schad
Schlottach	Schoeller	Spreng	Stevenson	Tilley
Viebrock	Villa	Vogt	Wallace	Weter
Whorton	Wood	Wright 159		

NOES: 118

Aull	Avery	Baker 123	Bivins	Bowman
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Corcoran	Cox
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Dethrow	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hughes	Icet	Johnson	Jones 89	Jones 117
Kingery	Komo	Kraus	Kuessner	Lembke
LeVota	Lipke	Low 39	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nasheed	Nolte	Norr
Onder	Oxford	Page	Pearce	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruzicka	Salva
Scavuzzo	Scharnhorst	Schieffer	Schneider	Self
Shively	Silvey	Skaggs	Smith 150	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Walsh	Walton
Wasson	Wells	Wildberger	Wilson 119	Wilson 130
Witte	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

PRESENT: 001

Smith 14

ABSENT WITH LEAVE: 006

Bland
Schoemehl

Dixon

Kelly

Kratky

Marsh

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SCS SB 4** and **SS#6 SCS SB 389** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

THIRD READING OF SENATE BILLS

HCS SS SCS SBs 255, 249 & 279, relating to federal standards for overtime wages, was taken up by Representative Muschany.

Representative Portwood offered **House Amendment No. 1**.

Representative Skaggs raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Cooper (158) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 255, 249 & 279, Section 290.502, Pages 1 and 2, Lines 1 to 13, by striking all of said section from bill; and

Further amend said bill, Section 290.512, Pages 2 and 3, Lines 1 to 18, by striking all of said section from bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SS SCS SBs 255, 249 & 279, with House Amendment No. 2, pending, was withdrawn.

SS SCS SBs 255, 249 & 279 was laid over.

HCS#2 SCS SB 163, relating to a basic civil legal services fund, was taken up by Representative Pratt.

Representative Donnelly offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 163, Section 485.077, Page 3, Line 20, by inserting immediately after the word "**deposition**" the following:

". Such consent shall be filed as a memo with the court no later than seven days prior to the date of the deposition unless the time is shortened by the court"; and

Further amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 163, Section 485.077, Page 3, Line 32, by inserting immediately after the word "**used**" the following:

". **Such statement shall be in bold fourteen type face on the notice**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Salva offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 163, Pages 2-3, Section 485.077, Lines 1-35, by removing all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 065

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa

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Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Bruns	Corcoran	LeVota	Pollock
Schoemehl	Wallace	Wright-Jones		

Representative Salva moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Avery	Bowman	Bringer	Brown 30
Brown 50	Casey	Chappelle-Nadal	Cooper 158	Darrough
Daus	Deeken	Fallert	Fares	Flook
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Johnson	Jones 89	Komo
Kratky	Lampe	LeVota	Liese	Lipke
Low 39	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Portwood	Pratt	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schneider	Shively	Silvey	Skaggs
Smith 150	Stevenson	St. Onge	Storch	Swinger
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Yaeger	Yates	Zimmerman
Zweifel				

NOES: 093

Baker 25	Baker 123	Bearden	Bivins	Bland
Brandom	Burnett	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fisher	Franz	Funderburk
Grisamore	Guest	Haywood	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jones 117
Kelly	Kingery	Kraus	Kuessner	Lembke
Loehner	Lowe 44	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Page	Parson	Pearce
Pollock	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Smith 14
Spreng	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Walton
Wasson	Wells	Weter	Wilson 130	Wood
Wright 159	Young	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Bruns Schoemehl Wilson 119 Wright-Jones

On motion of Representative Donnelly, **House Amendment No. 1** was adopted.

Representative Cooper (120) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 163, by amending the Lines 1-2 of the Title, by deleting the words "the basic civil legal services fund" and inserting in lieu thereof the words "legal services"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Cooper (120), **House Amendment No. 2** was adopted by the following vote:

AYES: 089

Baker 123	Bearden	Bivins	Bland	Brown 30
Bruns	Burnett	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Day	Decken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fisher	Franz	Funderburk	Grisamore	Guest
Haywood	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 117	Kelly
Kingery	Kraus	Liese	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Oxford	Parson	Pearce	Pollock	Quinn 7
Robb	Ruestman	Ruzicka	Sander	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Smith 14	Smith 150	St. Onge	Stream	Sutherland
Talboy	Thomson	Threlkeld	Tilley	Viebrock
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

NOES: 067

Aull	Avery	Baker 25	Bowman	Brandom
Bringer	Brown 50	Casey	Chappelle-Nadal	Cooper 158
Corcoran	Curls	Darrough	Daus	Davis
Fallert	Fares	Flook	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Jones 89	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Lipke	Low 39	Lowe 44
McClanahan	Meadows	Nasheed	Norr	Page
Pratt	Quinn 9	Robinson	Roorda	Rucker

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Salva	Scavuzzo	Schieffer	Shively	Skaggs
Spreng	Stevenson	Storch	Swinger	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 007

Portwood	Richard	Sater	Schneider	Schoemehl
Silvey	Wallace			

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 066

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 002

Dougherty Walsh

ABSENT WITH LEAVE: 007

Cooper 158 Harris 23 Hubbard Sater Schneider
Schoemehl Wallace

On motion of Representative Pratt, **HCS#2 SCS SB 163, as amended**, was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Flook	Frame	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 013

Bringer	Cooper 158	Corcoran	Dethrow	Fisher
Franz	Kuessner	Lipke	Meadows	Salva
Vogt	Whorton	Zweifel		

PRESENT: 001

Wilson 119

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ABSENT WITH LEAVE: 006

Cooper 120	Hubbard	Lowe 44	Sater	Schoemehl
Wallace				

On motion of Representative Pratt, **HCS#2 SCS SB 163, as amended**, was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Bowman	Brandom	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Frame	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Kratky	Kraus	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 012

Bringer	Cooper 158	Corcoran	Dethrow	Fisher
Franz	Kuessner	Lipke	Meadows	Salva
Vogt	Whorton			

PRESENT: 001

Wilson 119

ABSENT WITH LEAVE: 011

Cooper 155	Fallert	Flook	Hubbard	Komo
Nasheed	Sater	Schoemehl	Skaggs	Viebrock
Wallace				

Speaker Jetton declared the bill passed.

BILL IN CONFERENCE

CCR#2 HCS SCS SB 86, as amended, relating to a tax credit for children in crisis, was taken up by Representative Sutherland.

Representative Nieves assumed the Chair.

On motion of Representative Sutherland, **CCR#2 HCS SCS SB 86, as amended**, was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Scavuzzo	SchAAF	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Walsh
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker 25	El-Amin	Frame	Hubbard	Roorda
Salva	Sater	Schoemehl	Swinger	Wallace
Walton	Wasson			

On motion of Representative Sutherland, **CCS#2 HCS SCS SB 86** was truly agreed to and finally passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	SchAAF	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Bruns	Cooper 155	El-Amin	Hubbard
Hunter	Johnson	Sater	Schoemehl	Wallace
Walton				

Representative Nieves declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cox

Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 002

Roorda Talboy

PRESENT: 001

George

ABSENT WITH LEAVE: 008

Baker 25	Dixon	El-Amin	Hubbard	Kelly
Page	Schoemehl	Swinger		

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 69, as amended, relating to a transient guest tax, was taken up by Representative Day.

Speaker Jetton resumed the Chair.

Representative Day moved that **SS SCS HB 69, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 018

Brandom	Cooper 120	Cooper 158	Day	Dougherty
Kelly	Marsh	Meiners	Nieves	Pollock
Quinn 7	Salva	Schaaf	Schneider	Skaggs
Tilley	Wright-Jones	Mr Speaker		

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NOES: 130

Aull	Avery	Baker 123	Bearden	Bivins
Bland	Bowman	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Portwood	Pratt	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Todd	Viebrock	Villa	Vogt
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman

PRESENT: 001

Liese

ABSENT WITH LEAVE: 014

Baker 25	Darrough	El-Amin	Harris 23	Hubbard
Low 39	Richard	Sander	Sater	Schoemehl
Stevenson	Walsh	Young	Zweifel	

Representative Nieves resumed the Chair.

SS HCS HB 741, as amended, relating to economic development activities, was taken up by Representative Pearce.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Pearce, **SS HCS HB 741, as amended**, was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Brown 30	Brown 50
Bruns	Burnett	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cox	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg

Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sater	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 003

Bringer	Frame	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Casey	Cooper 155	Cunningham 145	Denison
El-Amin	Fallert	Hubbard	Salva	Sander
Schoemehl	Yates			

On motion of Representative Pearce, **SS HCS HB 741, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bowman	Brandom	Brown 30	Brown 50
Bruns	Burnett	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore

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Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruzicka	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 004

Bringer	Frame	Hughes	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Casey	El-Amin	Harris 110	Hubbard
Johnson	Lampe	Lowe 44	Ruestman	Salva
Sander	Sater	Schad	Schoemehl	Wildberger
Young	Zweifel			

Speaker Pro Tem Bearden declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 577, as amended**, and has taken up and passed **CCS HCS SS SCS SB 577**.

Emergency clause adopted.

BILL IN CONFERENCE

CCR HCS SS SCS SB 577, as amended, relating to the Missouri HealthNet Program, was taken up by Representative Schaaf.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet

Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Daus
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 007

Bowman	Corcoran	Darrough	El-Amin	Hubbard
McGhee	Schoemehl			

Representative Harris (23) requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Schaaf, **CCR HCS SS SCS SB 577, as amended**, was adopted by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf

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Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 067

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

El-Amin	Hubbard	McGhee	Schoemehl
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On motion of Representative Schaaf, **CCS HCS SS SCS SB 577** was truly agreed to and finally passed by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 067

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

El-Amin	Hubbard	McGhee	Schoemehl
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Speaker Pro Tem Bearden declared the bill passed.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Kelly	Kingery	Kratky	Kraus	Lembke
Lipke	Loehner	Marsh	May	Meiners
Moore	Munzlinger	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges

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Holsman	Hoskins	Hughes	Johnson	Komo
Kuessner	LeVota	Liese	Low 39	McClanahan
Meadows	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Curls	Davis	El-Amin	Hubbard
Jones 117	Lampe	Lowe 44	McGhee	Muschany
Nasheed	Schoemehl			

The emergency clause was adopted by the following vote:

AYES: 124

Avery	Baker 25	Baker 123	Bearden	Bivins
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 120	Cooper 158	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Decken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grisamore	Guest	Harris 110	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 027

Bland	Bowman	Brown 50	Burnett	Chappelle-Nadal
Curls	Darrough	Donnelly	George	Grill
Harris 23	Haywood	Hodges	Holsman	Hoskins
Hughes	Johnson	Kuessner	LeVota	Low 39
Meadows	Rucker	Scavuzzo	Skaggs	Talboy
Vogt	Whorton			

PRESENT: 002

Aull Roorda

ABSENT WITH LEAVE: 010

Cooper 155	Corcoran	El-Amin	Hobbs	Hubbard
Lembke	Liese	McGhee	Nasheed	Schoemehl

Speaker Jetton resumed the Chair.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SCS HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, SS SCS HCS HB 16, SCS HCS HB 17, SCS HCS HB 18, HCS HB 461** and **SS#2 SCS HCS HB 818** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, CCS SCS HCS HB 13, SS SCS HCS HB 16, SCS HCS HB 17, SCS HCS HB 18, HCS HB 461** and **SS#2 SCS HCS HB 818** were delivered to the Governor by the Chief Clerk of the House.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HJR 7**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri relating to English as the official state language.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1055**.

HOUSE BILL WITH SENATE AMENDMENT

SCS HJR 7, relating to the official state language, was taken up by Representative Nieves.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cooper 158
Cox	Cunningham 145	Cunningham 86	Davis	Day

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Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 063

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Holsman	Hoskins	Johnson
Komo	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 001

Hodges

ABSENT WITH LEAVE: 008

El-Amin	Hubbard	Hughes	Kratky	Low 39
McGhee	Schoemehl	Spreng		

Representative Harris (23) requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Nieves, **SCS HJR 7** was adopted by the following vote:

AYES: 128

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110

Hobbs	Hodges	Hoskins	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Marsh	May
McClanahan	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 029

Bland	Bowman	Brown 50	Burnett	Chappelle-Nadal
Corcoran	Curls	Daus	Dougherty	Flook
George	Haywood	Holsman	Hughes	Johnson
LeVota	Low 39	Lowe 44	Nasheed	Oxford
Skaggs	Talboy	Villa	Vogt	Walsh
Whorton	Wright-Jones	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 006

Cooper 158	El-Amin	Hubbard	McGhee	Schoemehl
Spreng				

On motion of Representative Nieves, **SCS HJR 7** was truly agreed to and finally passed by the following vote:

AYES: 127

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Brandom	Bringer	Brown 30	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Marsh
May	McClanahan	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman

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Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walton
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zweifel	Mr Speaker			

NOES: 029

Bland	Bowman	Brown 50	Burnett	Chappelle-Nadal
Corcoran	Curls	Daus	Dougherty	Flook
George	Haywood	Holsman	Hughes	Johnson
LeVota	Low 39	Lowe 44	Nasheed	Oxford
Skaggs	Talboy	Villa	Vogt	Walsh
Whorton	Wright-Jones	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 007

El-Amin	Hubbard	McGhee	Page	Schoemehl
Spreng	Wasson			

Speaker Jetton declared the bill passed.

Representative Page assumed the Chair.

THIRD READING OF SENATE BILL

SCS SB 420, relating to the Clean Water Commission, was taken up by Representative Richard.

On motion of Representative Richard, **SCS SB 420** was truly agreed to and finally passed by the following vote:

AYES: 128

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Bland	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Cooper 120	Cooper 155
Cooper 158	Cox	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hughes	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Oxford	Page	Pearce	Pollock	Portwood

Pratt	Quinn 7	Quinn 9	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Mr Speaker		

NOES: 019

Bowman	Burnett	Corcoran	Curls	Donnelly
Fallert	Harris 23	Hodges	Holsman	LeVota
Robinson	Roorda	Rucker	Scavuzzo	Storch
Talboy	Wildberger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 016

Chappelle-Nadal	El-Amin	Haywood	Hoskins	Hubbard
Johnson	McClanahan	McGhee	Norr	Parson
Salva	Schlottach	Schoemehl	Spreng	Vogt
Whorton				

Representative Page declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 061

Baker 123	Bowman	Burnett	Casey	Cooper 120
Cooper 155	Cooper 158	Cox	Cunningham 145	Cunningham 86
Davis	Deeken	Dempsey	Denison	Dougherty
Dusenberg	Ervin	Fisher	Flook	Funderburk
Grisamore	Harris 110	Hobbs	Hunter	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Liese	Loehner	Marsh	May	Moore
Munzlinger	Muschany	Nance	Nolte	Page
Pearce	Pollock	Quinn 7	Robb	Ruestman
Ruzicka	Sater	Scharnhorst	Stevenson	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walton	Wilson 119	Wood	Wright 159
Yates				

NOES: 081

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Corcoran	Darrough	Daus	Day	Dethrow
Dixon	Donnelly	Emery	Faith	Fallert
Fares	Frame	Franz	George	Grill
Guest	Harris 23	Hodges	Holsman	Icet
Johnson	Komo	Kuessner	Lampe	Lembke
LeVota	Lipke	Low 39	Lowe 44	Meadows

Meiners	Nasheed	Nieves	Norr	Onder
Oxford	Portwood	Pratt	Richard	Robinson
Roorda	Rucker	Sander	Scavuzzo	Schaaf
Schad	Schieffer	Schneider	Schoeller	Self
Silvey	Skaggs	Smith 14	Smith 150	St. Onge
Storch	Swinger	Todd	Villa	Walsh
Wasson	Wells	Wildberger	Wilson 130	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Chappelle-Nadal	Curls	El-Amin	Haywood
Hoskins	Hubbard	Hughes	McClanahan	McGhee
Parson	Quinn 9	Salva	Schlottach	Schoemehl
Shively	Spreng	Talboy	Vogt	Weter
Whorton				

Speaker Jetton resumed the Chair.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 17 - Special Committee on Student Achievement
HR 456 - Elementary and Secondary Education
HR 553 - Special Committee on Energy and Environment

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 3 - Special Committee on Retirement
HCR 4 - Special Committee on Family Services
HCR 14 - Special Committee on Immigration
HCR 19 - Special Committee on Homeland Security
HCR 23 - Health Care Policy
HCR 29 - Special Committee on Job Creation and Economic Development
HCR 34 - Special Committee on Urban Issues
HCR 35 - Special Committee on Professional Registration and Licensing
HCR 36 - Special Committee on Workforce Development and Workplace Safety
HCR 37 - Special Committee on General Laws
HCR 39 - Special Committee on Family Services
HCR 40 - Special Committee on Urban Issues
HCR 41 - Elementary and Secondary Education
HCR 42 - Special Committee on Student Achievement
HCR 46 - Special Committee on General Laws
HCR 47 - Agriculture Policy
HCR 50 - Special Committee on Tax Reform
HCR 51 - Rules
HCR 52 - Judiciary
HCR 56 - Rules
HCR 57 - Higher Education

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 2 - Elections
HJR 3 - Transportation
HJR 10 - Transportation
HJR 13 - Transportation
HJR 14 - Transportation
HJR 15 - Elections
HJR 16 - Special Committee on General Laws
HJR 17 - Elementary and Secondary Education
HJR 22 - Special Committee on General Laws
HJR 23 - Health Care Policy
HJR 24 - Special Committee on Tax Reform
HJR 27 - Elections
HJR 28 - Judiciary
HJR 29 - Judiciary
HJR 30 - Conservation and Natural Resources
HJR 32 - Elementary and Secondary Education
HJR 35 - Elections
HJR 36 - Special Committee on General Laws
HJR 37 - Higher Education

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 58 - Elections
HB 64 - Elementary and Secondary Education
HB 101 - Elections
HB 102 - Special Committee on Utilities
HB 126 - Local Government
HB 132 - Local Government
HB 137 - Ways and Means
HB 138 - Elections
HB 139 - Special Committee on Utilities
HB 140 - Insurance Policy
HB 141 - Judiciary
HB 142 - Insurance Policy
HB 143 - Special Committee on General Laws
HB 144 - Judiciary
HB 146 - Crime Prevention and Public Safety
HB 147 - Elementary and Secondary Education
HB 148 - Special Committee on Retirement
HB 149 - Health Care Policy
HB 153 - Special Committee on Government Affairs
HB 156 - Health Care Policy
HB 178 - Ways and Means
HB 187 - Special Committee on Veterans
HB 188 - Special Committee on Veterans
HB 191 - Special Committee on Job Creation and Economic Development
HB 193 - Local Government
HB 198 - Transportation

HB 201 - Crime Prevention and Public Safety
HB 206 - Transportation
HB 230 - Special Committee on Retirement
HB 231 - Special Committee on Retirement
HB 232 - Special Committee on Retirement
HB 253 - Crime Prevention and Public Safety
HB 254 - Crime Prevention and Public Safety
HB 273 - Transportation
HB 274 - Special Committee on General Laws
HB 275 - Crime Prevention and Public Safety
HB 276 - Corrections and Public Institutions
HB 279 - Local Government
HB 282 - Crime Prevention and Public Safety
HB 284 - Crime Prevention and Public Safety
HB 286 - Local Government
HB 290 - Crime Prevention and Public Safety
HB 291 - Special Committee on Small Business
HB 293 - Crime Prevention and Public Safety
HB 295 - Transportation
HB 299 - Special Committee on Small Business
HB 318 - Transportation
HB 321 - Health Care Policy
HB 322 - Rules
HB 326 - Crime Prevention and Public Safety
HB 339 - Special Committee on Healthcare Facilities
HB 342 - Special Committee on Workforce Development and Workplace Safety
HB 349 - Elections
HB 355 - Special Committee on Financial Institutions
HB 357 - Crime Prevention and Public Safety
HB 358 - Ways and Means
HB 362 - Ways and Means
HB 372 - Crime Prevention and Public Safety
HB 373 - Special Committee on Workforce Development and Workplace Safety
HB 374 - Special Committee on Immigration
HB 375 - Special Committee on Retirement
HB 378 - Special Committee on Professional Registration and Licensing
HB 379 - Judiciary
HB 380 - Crime Prevention and Public Safety
HB 381 - Ways and Means
HB 383 - Special Committee on Senior Citizen Advocacy
HB 384 - Local Government
HB 386 - Judiciary
HB 388 - Crime Prevention and Public Safety
HB 400 - Special Committee on Urban Education Reform
HB 404 - Judiciary
HB 409 - Special Committee on Job Creation and Economic Development
HB 410 - Special Committee on Job Creation and Economic Development
HB 411 - Special Committee on Job Creation and Economic Development
HB 415 - Special Committee on Family Services
HB 421 - Special Committee on Family Services
HB 423 - Special Committee on Financial Institutions
HB 443 - Transportation
HB 449 - Special Committee on Family Services
HB 451 - Special Committee on Family Services

- HB 468** - Elementary and Secondary Education
- HB 485** - Special Committee on Financial Institutions
- HB 486** - Special Committee on Agri-Business
- HB 491** - Corrections and Public Institutions
- HB 501** - Special Committee on Workforce Development and Workplace Safety
- HB 515** - Crime Prevention and Public Safety
- HB 519** - Crime Prevention and Public Safety
- HB 520** - Ways and Means
- HB 521** - Special Committee on Family Services
- HB 522** - Elections
- HB 523** - Special Committee on Job Creation and Economic Development
- HB 524** - Crime Prevention and Public Safety
- HB 525** - Transportation
- HB 528** - Crime Prevention and Public Safety
- HB 533** - Special Committee on Workforce Development and Workplace Safety
- HB 534** - Special Committee on Workforce Development and Workplace Safety
- HB 535** - Special Committee on Healthcare Facilities
- HB 536** - Judiciary
- HB 537** - Corrections and Public Institutions
- HB 538** - Ways and Means
- HB 540** - Elections
- HB 541** - Special Committee on Health Insurance
- HB 548** - Elections
- HB 549** - Crime Prevention and Public Safety
- HB 557** - Special Committee on Veterans
- HB 558** - Transportation
- HB 559** - Ways and Means
- HB 560** - Ways and Means
- HB 561** - Insurance Policy
- HB 562** - Elementary and Secondary Education
- HB 575** - Special Committee on Tourism
- HB 577** - Special Committee on Financial Institutions
- HB 592** - Insurance Policy
- HB 593** - Special Committee on Utilities
- HB 594** - Elementary and Secondary Education
- HB 597** - Special Committee on Workforce Development and Workplace Safety
- HB 601** - Special Committee on Workforce Development and Workplace Safety
- HB 602** - Judiciary
- HB 604** - Ways and Means
- HB 605** - Local Government
- HB 606** - Judiciary
- HB 607** - Crime Prevention and Public Safety
- HB 610** - Special Committee on Family Services
- HB 611** - Ways and Means
- HB 627** - Crime Prevention and Public Safety
- HB 635** - Special Committee on Job Creation and Economic Development
- HB 638** - Special Committee on Government Affairs
- HB 639** - Special Committee on Utilities
- HB 644** - Crime Prevention and Public Safety
- HB 645** - Special Committee on Job Creation and Economic Development
- HB 653** - Crime Prevention and Public Safety
- HB 655** - Special Committee on Professional Registration and Licensing
- HB 658** - Special Committee on State Parks and Waterways
- HB 659** - Judiciary

HB 663 - Crime Prevention and Public Safety
HB 664 - Crime Prevention and Public Safety
HB 666 - Local Government
HB 667 - Higher Education
HB 668 - Health Care Policy
HB 671 - Transportation
HB 681 - Elections
HB 695 - Crime Prevention and Public Safety
HB 700 - Special Committee on Veterans
HB 706 - Transportation
HB 707 - Ways and Means
HB 710 - Special Committee on Agri-Business
HB 711 - Special Committee on Agri-Business
HB 712 - Special Committee on Energy and Environment
HB 715 - Transportation
HB 749 - Higher Education
HB 751 - Ways and Means
HB 755 - Elementary and Secondary Education
HB 759 - Special Committee on Utilities
HB 764 - Special Committee on Job Creation and Economic Development
HB 766 - Local Government
HB 767 - Health Care Policy
HB 772 - Crime Prevention and Public Safety
HB 782 - Special Committee on Energy and Environment
HB 783 - Transportation
HB 785 - Transportation
HB 786 - Health Care Policy
HB 787 - Elementary and Secondary Education
HB 789 - Insurance Policy
HB 792 - Crime Prevention and Public Safety
HB 793 - Ways and Means
HB 797 - Special Committee on Job Creation and Economic Development
HB 799 - Health Care Policy
HB 806 - Local Government
HB 809 - Special Committee on Job Creation and Economic Development
HB 813 - Higher Education
HB 814 - Crime Prevention and Public Safety
HB 816 - Ways and Means
HB 817 - Judiciary
HB 819 - Judiciary
HB 823 - Ways and Means
HB 826 - Judiciary
HB 828 - Special Committee on Energy and Environment
HB 834 - Elections
HB 837 - Judiciary
HB 838 - Judiciary
HB 843 - Special Committee on General Laws
HB 844 - Transportation
HB 846 - Judiciary
HB 848 - Judiciary
HB 857 - Crime Prevention and Public Safety
HB 859 - Higher Education
HB 860 - Judiciary
HB 861 - Higher Education

HB 862 - Agriculture Policy
HB 864 - Ways and Means
HB 881 - Special Committee on Agri-Business
HB 883 - Special Committee on Tax Reform
HB 890 - Higher Education
HB 895 - Local Government
HB 896 - Crime Prevention and Public Safety
HB 897 - Health Care Policy
HB 898 - Elementary and Secondary Education
HB 900 - Special Committee on Health Insurance
HB 901 - Agriculture Policy
HB 905 - Special Committee on Professional Registration and Licensing
HB 907 - Elementary and Secondary Education
HB 908 - Ways and Means
HB 909 - Special Committee on Agri-Business
HB 917 - Special Committee on Family Services
HB 918 - Special Committee on Utilities
HB 924 - Special Committee on Utilities
HB 926 - Ways and Means
HB 927 - Special Committee on Government Affairs
HB 928 - Special Committee on Family Services
HB 929 - Crime Prevention and Public Safety
HB 939 - Transportation
HB 940 - Elementary and Secondary Education
HB 942 - Crime Prevention and Public Safety
HB 943 - Special Committee on Senior Citizen Advocacy
HB 946 - Special Committee on Utilities
HB 947 - Special Committee on Family Services
HB 951 - Elementary and Secondary Education
HB 955 - Corrections and Public Institutions
HB 956 - Health Care Policy
HB 957 - Health Care Policy
HB 959 - Special Committee on Utilities
HB 960 - Crime Prevention and Public Safety
HB 961 - Special Committee on General Laws
HB 962 - Special Committee on General Laws
HB 964 - Health Care Policy
HB 967 - Judiciary
HB 969 - Special Committee on Student Achievement
HB 970 - Elementary and Secondary Education
HB 972 - Crime Prevention and Public Safety
HB 973 - Transportation
HB 974 - Local Government
HB 975 - Special Committee on Government Affairs
HB 976 - Health Care Policy
HB 977 - Local Government
HB 979 - Transportation
HB 989 - Special Committee on Financial Institutions
HB 990 - Special Committee on General Laws
HB 992 - Transportation
HB 993 - Judiciary
HB 994 - Special Committee on Urban Education Reform
HB 997 - Special Committee on Utilities
HB 1001 - Judiciary

HB 1003 - Special Committee on Workforce Development and Workplace Safety
HB 1004 - Insurance Policy
HB 1005 - Health Care Policy
HB 1007 - Ways and Means
HB 1008 - Ways and Means
HB 1009 - Judiciary
HB 1010 - Transportation
HB 1012 - Crime Prevention and Public Safety
HB 1013 - Local Government
HB 1015 - Elementary and Secondary Education
HB 1016 - Special Committee on Government Affairs
HB 1017 - Ways and Means
HB 1018 - Special Committee on Family Services
HB 1019 - Health Care Policy
HB 1020 - Special Committee on Utilities
HB 1024 - Special Committee on Workforce Development and Workplace Safety
HB 1025 - Special Committee on Senior Citizen Advocacy
HB 1026 - Agriculture Policy
HB 1027 - Local Government
HB 1030 - Ways and Means
HB 1031 - Special Committee on Family Services
HB 1032 - Corrections and Public Institutions
HB 1037 - Elementary and Secondary Education
HB 1038 - Special Committee on Financial Institutions
HB 1039 - Special Committee on Workforce Development and Workplace Safety
HB 1041 - Special Committee on Homeland Security
HB 1042 - Special Committee on Job Creation and Economic Development
HB 1043 - Special Committee on Retirement
HB 1045 - Special Committee on General Laws
HB 1046 - Elementary and Secondary Education
HB 1047 - Elementary and Secondary Education
HB 1048 - Elementary and Secondary Education
HB 1049 - Judiciary
HB 1050 - Ways and Means
HB 1051 - Ways and Means
HB 1053 - Judiciary
HB 1054 - Transportation
HB 1056 - Special Committee on Energy and Environment
HB 1057 - Special Committee on Student Achievement
HB 1059 - Elections
HB 1064 - Special Committee on Student Achievement
HB 1065 - Ways and Means
HB 1066 - Transportation
HB 1068 - Rules
HB 1069 - Special Committee on Energy and Environment
HB 1070 - Special Committee on Energy and Environment
HB 1072 - Special Committee on Professional Registration and Licensing
HB 1076 - Special Committee on Professional Registration and Licensing
HB 1077 - Special Committee on Energy and Environment
HB 1078 - Crime Prevention and Public Safety
HB 1079 - Special Committee on Student Achievement
HB 1080 - Special Committee on Financial Institutions
HB 1081 - Special Committee on Healthcare Facilities
HB 1082 - Elementary and Secondary Education

HB 1083 - Special Committee on Job Creation and Economic Development
HB 1085 - Conservation and Natural Resources
HB 1086 - Judiciary
HB 1087 - Ways and Means
HB 1088 - Judiciary
HB 1093 - Crime Prevention and Public Safety
HB 1094 - Crime Prevention and Public Safety
HB 1095 - Special Committee on Family Services
HB 1097 - Special Committee on Government Affairs
HB 1098 - Local Government
HB 1099 - Special Committee on Family Services
HB 1100 - Special Committee on Tax Reform
HB 1101 - Elementary and Secondary Education
HB 1102 - Special Committee on Family Services
HB 1106 - Local Government
HB 1107 - Health Care Policy
HB 1109 - Special Committee on Senior Citizen Advocacy
HB 1110 - Local Government
HB 1111 - Ways and Means
HB 1112 - Transportation
HB 1114 - Health Care Policy
HB 1116 - Special Committee on Job Creation and Economic Development
HB 1120 - Special Committee on Job Creation and Economic Development
HB 1121 - Special Committee on Job Creation and Economic Development
HB 1122 - Local Government
HB 1123 - Transportation
HB 1124 - Elementary and Secondary Education
HB 1125 - Insurance Policy
HB 1127 - Special Committee on General Laws
HB 1129 - Special Committee on Financial Institutions
HB 1130 - Judiciary
HB 1131 - Elementary and Secondary Education
HB 1132 - Special Committee on Family Services
HB 1133 - Special Committee on Veterans
HB 1134 - Special Committee on Homeland Security
HB 1137 - Special Committee on Workforce Development and Workplace Safety
HB 1138 - Crime Prevention and Public Safety
HB 1139 - Special Committee on Family Services
HB 1140 - Elementary and Secondary Education
HB 1141 - Special Committee on Family Services
HB 1142 - Special Committee on Immigration
HB 1143 - Special Committee on General Laws
HB 1145 - Transportation
HB 1146 - Special Committee on Utilities
HB 1147 - Special Committee on Workforce Development and Workplace Safety
HB 1148 - Special Committee on Student Achievement
HB 1149 - Special Committee on Workforce Development and Workplace Safety
HB 1150 - Ways and Means
HB 1151 - Crime Prevention and Public Safety
HB 1152 - Special Committee on Senior Citizen Advocacy
HB 1153 - Crime Prevention and Public Safety
HB 1154 - Special Committee on Government Affairs
HB 1157 - Special Committee on Professional Registration and Licensing
HB 1158 - Insurance Policy

HB 1161 - Elementary and Secondary Education
HB 1162 - Crime Prevention and Public Safety
HB 1163 - Special Committee on Government Affairs
HB 1165 - Judiciary
HB 1166 - Special Committee on Workforce Development and Workplace Safety
HB 1167 - Transportation
HB 1169 - Crime Prevention and Public Safety
HB 1172 - Higher Education
HB 1173 - Judiciary
HB 1174 - Crime Prevention and Public Safety
HB 1175 - Special Committee on Energy and Environment
HB 1176 - Special Committee on Utilities
HB 1177 - Special Committee on Financial Institutions
HB 1178 - Local Government
HB 1180 - Special Committee on Utilities
HB 1183 - Local Government
HB 1184 - Special Committee on General Laws
HB 1185 - Special Committee on Tax Reform
HB 1186 - Elementary and Secondary Education
HB 1187 - Judiciary
HB 1188 - Local Government
HB 1190 - Judiciary
HB 1195 - Special Committee on Tourism
HB 1196 - Elementary and Secondary Education
HB 1197 - Elementary and Secondary Education
HB 1198 - Elementary and Secondary Education
HB 1200 - Special Committee on Government Affairs
HB 1201 - Special Committee on Retirement
HB 1203 - Special Committee on Agri-Business
HB 1204 - Elections
HB 1206 - Elementary and Secondary Education
HB 1207 - Corrections and Public Institutions
HB 1208 - Transportation
HB 1209 - Local Government
HB 1210 - Special Committee on Family Services
HB 1211 - Elementary and Secondary Education
HB 1212 - Judiciary
HB 1213 - Special Committee on General Laws
HB 1214 - Elementary and Secondary Education
HB 1215 - Elementary and Secondary Education
HB 1216 - Transportation
HB 1217 - Special Committee on General Laws
HB 1218 - Judiciary
HB 1220 - Elementary and Secondary Education
HB 1221 - Local Government
HB 1222 - Elementary and Secondary Education
HB 1223 - Elementary and Secondary Education
HB 1224 - Elementary and Secondary Education
HB 1225 - Special Committee on Family Services
HB 1226 - Elementary and Secondary Education
HB 1227 - Elections
HB 1228 - Elementary and Secondary Education
HB 1229 - Special Committee on Family Services
HB 1231 - Special Committee on Student Achievement

HB 1233 - Crime Prevention and Public Safety
HB 1234 - Judiciary
HB 1235 - Insurance Policy
HB 1238 - Special Committee on Family Services
HB 1239 - Elementary and Secondary Education
HB 1240 - Health Care Policy
HB 1241 - Special Committee on Family Services
HB 1242 - Corrections and Public Institutions
HB 1243 - Special Committee on Government Affairs
HB 1244 - Special Committee on Tax Reform
HB 1245 - Special Committee on Government Affairs
HB 1246 - Special Committee on Government Affairs
HB 1247 - Special Committee on Utilities
HB 1248 - Crime Prevention and Public Safety
HB 1249 - Ways and Means
HB 1252 - Special Committee on Energy and Environment
HB 1253 - Conservation and Natural Resources
HB 1254 - Special Committee on Senior Citizen Advocacy
HB 1255 - Ways and Means
HB 1256 - Special Committee on Job Creation and Economic Development
HB 1258 - Special Committee on Healthcare Facilities
HB 1259 - Special Committee on Job Creation and Economic Development
HB 1260 - Special Committee on Family Services
HB 1261 - Higher Education
HB 1262 - Transportation
HB 1263 - Special Committee on Energy and Environment
HB 1265 - Elections
HB 1266 - Elementary and Secondary Education
HB 1267 - Special Committee on Professional Registration and Licensing
HB 1268 - Special Committee on Energy and Environment
HB 1269 - Special Committee on Tax Reform
HB 1270 - Special Committee on Family Services
HB 1271 - Special Committee on Family Services
HB 1274 - Crime Prevention and Public Safety
HB 1276 - Special Committee on Workforce Development and Workplace Safety
HB 1277 - Elementary and Secondary Education
HB 1279 - Special Committee on Financial Institutions
HB 1280 - Special Committee on Retirement
HB 1282 - Special Committee on Small Business
HB 1283 - Elections
HB 1284 - Special Committee on Student Achievement
HB 1285 - Special Committee on Government Affairs
HB 1286 - Crime Prevention and Public Safety
HB 1288 - Special Committee on Government Affairs
HB 1289 - Crime Prevention and Public Safety
HB 1290 - Judiciary
HB 1291 - Special Committee on Job Creation and Economic Development
HB 1292 - Special Committee on Job Creation and Economic Development
HB 1293 - Crime Prevention and Public Safety
HB 1294 - Elementary and Secondary Education
HB 1295 - Elections
HB 1296 - Special Committee on General Laws
HB 1297 - Judiciary
HB 1298 - Special Committee on Retirement

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 440 - Special Committee on Government Affairs

SCS SB 477 - Crime Prevention and Public Safety

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS#2 SCS SB 163, as amended**, and has taken up and passed **HCS#2 SCS SB 163, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 384, as amended**, and has taken up and passed **HCS SCS SB 384, as amended**.

Emergency clause adopted.

Speaker Jetton delivered a closing prayer.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 3:00 p.m., Monday, May 21, 2007.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-seventh Day, Thursday, May 17, 2007, Page 2217, Line 5, by inserting immediately after said line the following:

"BILL CARRYING REQUEST MESSAGE

HCS SCS SB 86, as amended, relating to a tax credit for children in crisis, was taken up by Representative Sutherland.

Representative Sutherland moved that the House grant the Senate further conference on **HCS SCS SB 86, as amended**.

Which motion was adopted."

Correct House Journal, Seventy-seventh Day, Thursday, May 17, 2007, Page 2261, Line 23, by inserting immediately after said line the following:

"On motion of Representative Fallert, **House Amendment No. 4** was adopted."

AFFIDAVITS

I, State Representative Belinda Harris, District 110, hereby state and affirm that my vote as recorded on the motion to pass Senate Substitute for House Committee Substitute for House Bill No. 741 of the House Journal for May 18, 2007 showing that I voted Absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2007.

/s/ Belinda Harris
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Sam Komo, District 90, hereby state and affirm that my vote as recorded on the motion to pass House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 163, as amended, of the House Journal for May 18, 2007 showing that I voted Absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2007.

/s/ Sam Komo
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Ed Wildberger, District 27, hereby state and affirm that my vote as recorded on the motion to pass Senate Substitute for House Committee Substitute for House Bill No. 741 of the House Journal for May 18, 2007 showing that I voted Absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2007.

/s/ Ed Wildberger
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Ed Wildberger, District 27, hereby state and affirm that my vote as recorded on the motion to adopt Conference Committee Substitute No. 2 for House Committee Substitute No. 2 for Senate Bill No. 406 as recorded in the House Journal for May 18, 2007 showing that I voted Absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2007.

/s/ Ed Wildberger
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of May in the year 2007.

/s/ Carrie Young
Notary Public

I, State Representative Robin Wright-Jones, District 63, hereby state and affirm that my vote as recorded on the motion to adopt Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 22, with an emergency clause, as recorded in the House Journal for May 18, 2007 showing that I voted Absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2007.

/s/ Robin Wright-Jones
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of May in the year 2007.

/s/ Carrie Young
Notary Public

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

SEVENTY-NINTH DAY, MONDAY, MAY 21, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Jeff Grisamore.

Heavenly Father, we thank You for all that has been accomplished this legislative session for the people of Missouri. We pray You would bless our House staff and give them and their families times of refreshing during this interim. We pray You would bless and protect our members and their families. As we come back for the Second Regular Session of the 94th General Assembly, we pray You would give us your wisdom and counsel, and we thank You in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3826 through House Resolution No. 3833

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCS#2 HB 28, HB 56, HB 62, HB 75, HCS HB 98, SS HB 134, HCS HB 181, HCS HB 182, HCS HB 184, SS HB 205, HB 220, HCS HB 221, HB 264, HB 268, HCS HB 272, SCS HCS HB 298, SS SCS HCS HB 327, SCS HCS HB 329, HB 344, HB 351, HB 352, SCS HCS HB 426, HB 428, SCS HCS HB 431, HCS HB 459, HB 467, HCS HB 497, HB 554, HCS HB 555, CCS HB 574, HB 576, SS HB 579, SS SCS HCS HB 583, HCS HB 616, SCS HCS HBs 619 & 118, HCS HBs 654 & 938, HCS HB 678, HB 680, SCS HB 684, HB 686, HB 732, SS SCS HB 740, HB 754, SCS HB 791, SCS HCS HB 795, HB 801, SS HCS HB 820, HCS HB 948 and SS SCS HCS HBs 952 & 674** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

The following members' presence was noted: Cooper (120), Dixon, Hodges, Jones (117) and Schneider.

ADJOURNMENT

On motion of Speaker Jetton, the House adjourned until 1:00 p.m., Wednesday, May 30, 2007.

JOURNAL OF THE HOUSE

First Regular Session, 94th GENERAL ASSEMBLY

EIGHTIETH DAY, WEDNESDAY, MAY 30, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Marilyn Seaton, Senior Docket Clerk.

Oh! Almighty and Everlasting God, Creator of Heaven, Earth and the Universe. Help us to be, to think, to act what is right, because it is right; make us truthful, honest and honorable in all things; make us intellectually honest for the sake of right and honor and without thought of reward to us; give us the ability to be charitable, forgiving and patient with our fellowmen – help us to understand their motives and their shortcomings – even as You understand ours. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3912 through House Resolution No. 3927

SIGNING OF HOUSE JOINT RESOLUTION

All other business of the House was suspended while **SCS HJR 7** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HJR 7** was delivered to the Secretary of State by the Chief Clerk of the House.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, SS HCS HB 741, CCS SS SCS HCS HB 780** and **HCS HB 1055** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS#2 HB 28, HB 56, HB 62, HB 75, HCS HB 98, SS HB 134, HCS HB 181, HCS HB 182, HCS HB 184, SS HB 205, HB 220, HCS HB 221, HB 264, HB 268, HCS HB 272, SCS HCS HB 298, SS SCS HCS HB 327, SCS HCS HB 329, HB 344, HB 351, HB 352, SCS HCS HB 426, HB 428, SCS HCS HB 431, SS#2 SCS HCS HBs 444, 217, 225, 239, 243, 297, 402 & 172, HCS HB 459, HB 467, HCS HB 497, HB 554, HCS HB 555, CCS HB 574, HB 576, SS HB 579, SS SCS HCS HB 583, HCS HB 616,**

SCS HCS HBs 619 & 118, HCS HBs 654 & 938, HCS HB 678, HB 680, SCS HB 684, HB 686, HB 732, SS SCS HB 740, SS HCS HB 741, HB 754, CCS SS SCS HCS HB 780, SCS HB 791, SCS HCS HB 795, HB 801, SS HCS HB 820, HCS HB 948, SS SCS HCS HBs 952 & 674 and HCS HB 1055 were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **CCS HCS#2 SS SCS SB 3, SCS SB 16, CCS HCS SS SCS SB 22, CCS HCS SB 25, CCS HCS SB 30, SCS SB 46, HCS SCS SB 47, HCS SCS SB 54, CCS HCS SCS SBs 62 & 41, CCS#3 HCS SCS SB 64, SCS SB 66, [CORRECTED] CCS HCS SB 81, CCS HCS SCS SB 82, CCS HCS SB 84, CCS#2 HCS SCS SB 86, SCS SB 91, HCS SS SB 112, HCS SB 127, SB 162, HCS#2 SCS SB 163, SB 166, SB 172, SS SB 195, HCS SCS SB 198, SS SCS SB 215, SS SCS SB 225, CCS SB 233, HCS SB 270, HCS SCS SB 272, SB 298, CCS HCS SCS SB 299 & SS SCS SB 616, SCS SB 302, CCS#2 HCS SCS SB 308, HCS SS SCS SB 320, HCS SB 322, SB 352, HCS SCS SB 384, SCS SB 397, CCS#2 HCS#2 SB 406, SB 407, CCS HCS SB 416, SCS SB 418, SCS SB 420, SB 433, SCS SB 456, [CORRECTED] HCS SCS SB 497, SB 513, CCS HCS SS SCS SB 577, SS SCS SB 591 and HCS SRB 613** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

May 22, 2007

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
94th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 16** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, for the purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2007.

On May 22, 2007 I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 16**.

Respectfully submitted,

/s/ Matt Blunt
Governor

The following members' presence was noted: Dixon, Grisamore, Holsman, Silvey and Smith (14).

ADJOURNMENT

On motion of Speaker Jetton, the House of Representatives, 94th General Assembly, convened in the First Regular Session on January 3, 2007, adjourned as of midnight, May 30, 2007, in accordance with the Constitution.

ROD JETTON
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

Journal of the House

NINETY-FOURTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST EXTRAORDINARY SESSION

FIRST DAY, MONDAY, AUGUST 20, 2007

Speaker Jetton in the Chair.

Prayer by Representative Grisamore.

Heavenly Father, we thank You for the incredible privilege to serve our constituents and the people of Missouri. As we go about the people's business this week, we ask You for Your wisdom and strength and pray for Your blessing and protection for our families. In Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

MESSAGE FROM THE GOVERNOR

The following Proclamation was received from His Excellency, Governor Matt Blunt:

PROCLAMATION

WHEREAS, Missouri has bridges with a poor or serious condition rating, and it is vital to the safety of Missourians, of visitors to the state, and to the state economy's reliance on a modern and safe transportation infrastructure that the bridges most in need of repair are brought up to good condition as quickly as possible; and

WHEREAS, legislative action is necessary to allow for bonding that will allow the Safe and Sound Bridge Program to begin as soon as possible, which will allow the state to address problems at 800 of Missouri's bridges most in need of repair through a single, efficient contract with construction to be completed within five years; and

WHEREAS, during the First Regular Session of the Ninety-fourth General Assembly, the General Assembly considered House Bill No. 327, with the objective to provide various economic development opportunities in Missouri; and

WHEREAS, the proposed legislation sought to address several concerns, including promoting economic development, quality jobs, and tax credits. The legislation resulted in excessive and unquantifiable expense to Missouri taxpayers; and

WHEREAS, the Governor has promised to promote the wise and prudent use of taxpayer resources to promote economic development in Missouri; and

WHEREAS, the failure to enact a measured and prudent bill for economic development constitutes an immediate economic threat to the well-being of the economy of the state of Missouri; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, an extraordinary occasion as envisioned by Article IV, Section 9 of the Missouri Constitution is appropriate given that the action of the General Assembly is deemed necessary concerning Missouri's economic development.

NOW THEREFORE, on the extraordinary occasion that exists in the state of Missouri:

I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Missouri Constitution, do, by this Proclamation, convene the Ninety-fourth General Assembly of the state of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in their respective chambers in the State Capitol in the City of Jefferson at the hour of 1:00 p.m., Central Daylight Time, August 20, 2007; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To amend section 227.107, RSMo, to authorize the Missouri Highway and Transportation Commission to use "design-build-finance-maintain" for the Safe and Sound Bridge Program and to permit the commission to change and enforce a bid or proposed bond in accordance with the financial and contractual requirements of the design-build-finance-maintain project.
2. To amend or enact sections of the Revised Statutes of Missouri as follows:
 - (1) 32.105: Neighborhood Assistance Program - Add charitable organizations to the definition of business firm allowed to receive the credit.
 - (2) Enact section(s) on: Ticket Scalping - Prohibit a city or county from prohibiting the sale or resale of tickets for admission to any legal event at any price; fees associated with the sale or resale should be permitted.
 - (3) 99.805: Tax Increment Financing - Define the term "Greenfield" as it relates to TIF.
 - (4) 99.820: Tax Increment Financing - Create countywide TIF commissions for Jefferson County, St. Charles County, St. Louis County, and Franklin County.
 - (5) Enact section(s) on: Tax Increment Financing - Prohibit new TIF projects from being authorized within any greenfield located within St. Louis City and any county subject to the authority of the East-West Gateway Council of Governments.
 - (6) Enact section(s) on: Distressed Areas Land Assemblage Tax Credit - Create a distressed areas land assemblage tax credit with an annual cap of \$10 million and a cumulative cap on tax credits issued of \$95 million. Eligible project areas should be at least 75 acres in size, and 80 percent of the project area should be located in a Missouri HUD-qualified census tract or a Missouri distressed community. The applicant should acquire at least 50 acres of eligible parcels in the eligible project area, which may be contiguous or non-contiguous. The area of the redevelopment developed by the tax credit applicant should be limited to 75 percent; the remainder of the redevelopment area should be required to be redeveloped by redevelopers to whom the applicant has assigned all redevelopment rights and obligations.

- (7) 100.286 and 100.255: Missouri Development Finance Board - Add charitable organizations to definition of taxpayer or person or persons allowed to receive the credit.
- (8) 135.460: Youth Opportunity Program - Add charitable organizations to definition of taxpayers allowed to receive the credit.
- (9) 135.478: Neighborhood Preservation Act - Add charitable organizations to definition of taxpayer allowed to receive the credit.
- (10) 135.500: MO Certified Capital Company Law - Add charitable organizations to definition of person allowed to receive the credit.
- (11) 135.545: Transportation Development in Distressed Area Tax Credit - Add charitable organizations to definition of taxpayer allowed to receive the credit.
- (12) 135.550: Domestic Violence Shelters Tax Credit - Add charitable organizations to definition of taxpayer allowed to receive the credit.
- (13) 135.600: Maternity Home Tax Credit - Add charitable organizations to definition of taxpayer allowed to receive the credit.
- (14) 135.630: Pregnancy Resource Center Tax Credit - Add charitable organizations to definition of taxpayer allowed to receive the credit. Allow credits to be sold and transferred.
- (15) Enact section(s) on: Qualified Beef Cattle Tax Credit - Establish a tax credit for adding additional weight to qualified beef animals. Define the credit as being based on the qualifying beef animal's weight above the taxpayer's established baseline weight at the time of the first qualifying sale and worth 10 cents per pound for each pound added above the taxpayer's established baseline, provided the total pounds added above the taxpayer's baseline sale weight is equal or greater to 200 pounds. Establish an annual cap for this tax credit not to exceed \$3 million. Provide the Missouri Agricultural Small Business Development Authority the authority to waive up to 25 percent of the 200-pound added weight requirement in the event of a federally declared disaster. Add a sunset clause of no later than December 31, 2016.
- (16) Enact section(s) on: New Markets - Create the Qualified Equity Investment Tax Credit of not more than \$15 million to serve as a state match for the federal New Markets tax credit.
- (17) 135.750: Film Production Tax Credit - Increase the annual tax credit cap from \$1.5 million to \$4.5 million and modify eligibility requirements, provisions related to issuance and redemption of credits, and add a sunset clause.
- (18) 135.950: Enhanced Enterprise Zones - Modify the definition of employee to mean a person scheduled to work an average of at least 1,000 hours per year who at all times has the offer of health insurance partially paid by the employer. Modify the definition of "enhanced business enterprise" to exclude educational services (NAICS sector 61), religious organizations (NAICS industry group 8131) or public administration (NAICS sector 92) and to allow the headquarters or administrative office of an otherwise excluded entity to qualify if the offices serve a multi-state territory. Define the terms "facility base employment"; "facility base payroll"; "new job"; "notice of intent"; "related facility" and "related facility base employment."
- (19) 135.963: Enhanced Enterprise Zone - Allow exemption for a speculative industrial or warehouse building constructed by a public entity or a private entity on land leased from a public entity.
- (20) 135.967: Enhanced Enterprise Zone - Increase the annual cap on credits from \$7 million to \$14 million. Modify provisions related to tax credit claims and issuance.

- (21) 135.1150: Residential Treatment Agency Tax Credit - Add charitable organizations to definition of taxpayer allowed to receive the credit.
- (22) 144.030: Raw Materials Used in Auto Manufacturing - Add language allowing a rebuttable presumption that the raw materials used in auto manufacturing contain at least 25 percent recovered materials.
- (23) 173.196: MO Higher Education Scholarship Donation Fund - Allow credits to be sold and transferred.
- (24) 173.796: MO Higher Education Scholarship Donation Fund - Add charitable organizations to definition of taxpayer allowed to receive the credit.
- (25) Enact section(s) on: Vocational School District - Allow for a vocational school district in 11 Southeast Missouri counties.
- (26) 178.895: Community College New Job Training Program - Extend the sunset for the Community College New Job Training Program from 2008 to 2018.
- (27) 178.896: Community College New Job Training Program - Extend the sunset for the Community College New Job Training Fund from 2018 to 2028.
- (28) 348.300: Seed Capital Tax Credit - Add charitable organizations to definition of person allowed to receive the credit.
- (29) 578.395: Ticket Scalping - Repealed. Repeal section 578.395 related to the crime of ticket scalping.
- (30) 620.495: Small Business Incubator Tax Credit - Add charitable organizations to definition of taxpayer allowed to receive the credit.
- (31) Enact section(s) on: MO Workforce Investment Board - Recreate the MO Training and Employment Council as the MO Workforce Investment Board.
- (32) 620.638: New Enterprise Creation Tax Credit - Add charitable organizations to definition of person allowed to receive the credit.
- (33) 620.1030: Qualified Research Expenses Tax Credit - Add charitable organizations to definition of taxpayer allowed to receive the credit.
- (34) 620.1878: Quality Jobs Program - Define the terms, "approval"; "project facility base payroll"; and "related facility base payroll." Modify the definition of the terms, "commencement of operations"; "county average wage"; "employee"; "full-time year-round employee"; "new job"; "new payroll"; "new direct local revenue"; "project facility employment"; "related facility base employment"; "small and expanding business project"; "tax credits" and "withholding tax." Delete definition of "proposal" and "full-time equivalent employees." Modify the definition of the term "qualified company" to require the offering of health insurance to all full-time employees at all facilities located in this state with at least fifty percent of the premiums paid; to exclude public utilities (NAICS 221 including water and sewer services), educational services (NAICS sector 61), religious organizations (NAICS industry group 8131) or public administration (NAICS sector 92) and to allow the headquarters or administrative office of an otherwise excluded entity to qualify if the offices serve a multi-state territory. Modify the definition of "technology business project" to remove the 75 percent requirement on direct employee involvement and to expand the definition to include companies that research, develop or manufacture power system technology for aerospace, space, defense, hybrid vehicles or implantable or wearable medical devices. Replace the term "proposal" with "approval."

- (35) 620.1881: Quality Jobs Program - Increase the annual tax credit cap from \$12 million to \$40 million. Create a preference for qualified companies and projects targeted at an area that has been recently classified as a disaster area by the federal government. Replace the word "proposal" with "approval." Modify provisions related to qualified companies receiving incentives in addition to Quality Jobs. Modify provisions related to small and expanding business projects, technology business projects, high impact projects and job retention projects. Create a category for Small Business job retention and flood survivor relief. Modify provision related to the retention of withholding tax and annual reporting. Modify provisions related to tax credit claims and issuance.
3. To allow the Senate to consider appointments to boards, commissions, departments, divisions, and other government bodies that require advice and consent of the Senate.
4. Such additional matters as may be recommended by the Governor through special message to the General Assembly once it has convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 16th day of August, 2007.

/s/ Matt Blunt
Governor

ATTEST:
/s/ Robin Carnahan
Secretary of State

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1, introduced by Representative Richard, relating to economic incentive and development programs.

HB 2, introduced by Representatives St. Onge, Kuessner, Munzlinger, Meadows, Faith and Denison, relating to state highways and transportation commission design-build state highway project bond requirements.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the Ninety-fourth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

The following members' presence was noted: Aull, Baker (25), Brandom, Bringer, Bruns, Cooper (120), Day, El-Amin, Emery, Harris (23), Holsman, Hoskins, Hubbard, Hughes, Hunter, Jones (89), Jones (117), Kraus, Kuessner, Lembke, LeVota, Loehner, Low (39), McClanahan,

McGhee, Nance, Parson, Pratt, Quinn (9), Richard, Rucker, Sander, Scavuzzo, Schieffer, Schlottach, Shively, Silvey, Smith (14), Sutherland, Talboy, Todd, Viebrock, Villa, Weter, Whorton, Wildberger, Wright-Jones and Yates.

ADJOURNMENT

On motion of Speaker Jetton, the House adjourned until 10:00 a.m., Tuesday, August 21, 2007.

COMMITTEE MEETINGS

RULES

Tuesday, August 21, 2007, 3:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1, HB 2

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Tuesday, August 21, 2007, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1

TRANSPORTATION

Tuesday, August 21, 2007, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 2

HOUSE CALENDAR

SECOND DAY, TUESDAY, AUGUST 21, 2007

HOUSE BILLS FOR SECOND READING

HB 1 and HB 2

JOURNAL OF THE HOUSE

FIRST EXTRAORDINARY SESSION, 94th GENERAL ASSEMBLY

SECOND DAY, TUESDAY, AUGUST 21, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by D. Adam Crumbliss, Chief Clerk.

Our Heavenly Father,

It is only by Your grace that we stand assembled today armed with the spirit of service, enshrouded by love. Your sacrifices have made possible the wonder of life that we cherish as we seek to establish a better future for our fellow man built on a rock foundation of hope, love, trust, and faith.

We do not stand alone in these efforts. Your wisdom has provided for each of us families and loved ones to sustain our sense of purpose in times of challenge and great strife. It is they that have laid down their lives to support those of us gathered here today. Absent Your gift of their love and abiding sacrifice, we would be as fishermen lost at sea without a star by which to navigate.

Father, let our prayers turn today to those loved ones who surrender all things tranquil and prosperous to afford us the freedom to serve. Shine Your light upon them and lift them up with Your blessings of love.

In Your name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILLS

HB 1 and **HB 2** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1 - Special Committee on Job Creation and Economic Development

HB 2 - Transportation

COMMITTEE REPORTS

Special Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of one and one-half (1½) hours for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass.**

The following members' presence was noted: Brandom, Brown (30), Brown (50), Bruns, Burnett, Casey, Cooper (120), Corcoran, Daus, Day, Deeken, Dempsey, Denison, Dusenberg, El-Amin, Emery, Faith, Fallert, Flook, Grisamore, Holsman, Hoskins, Hughes, Hunter, Jones (117), Kelly, Kingery, Kraus, Kuessner, Lembke, LeVota, Loehner, Low (39), McClanahan, McGhee, Meadows, Moore, Munzlinger, Muschany, Nance, Nasheed, Nolte, Onder, Oxford, Pearce, Portwood, Pratt, Quinn (7), Quinn (9), Richard, Rucker, Salva, Sander, Scavuzzo, Scharnhorst, Schieffer, Schlottach, Schoeller, Shively, Silvey, Smith (14), Smith (150), Spreng, St. Onge, Sutherland, Talboy, Todd, Viebrock, Walsh, Weter, Whorton, Wildberger, Wright, Wright-Jones, Yates and Yaeger.

ADJOURNMENT

On motion of Speaker Jetton, the House adjourned until 10:00 a.m., Wednesday, August 22, 2007.

COMMITTEE MEETING

FISCAL REVIEW

Thursday, August 23, 2007, Hearing Room 1 upon morning recess.
Public hearing to be held on: HCS HB 1

HOUSE CALENDAR

THIRD DAY, WEDNESDAY, AUGUST 22, 2007

HOUSE BILLS FOR PERFECTION

- | | | |
|---|--------------------|------------------------------------|
| 1 | HCS HB 1 - Richard | (1 1/2 hours debate on Perfection) |
| 2 | HB 2 - St. Onge | |

JOURNAL OF THE HOUSE

FIRST EXTRAORDINARY SESSION, 94th GENERAL ASSEMBLY

THIRD DAY, WEDNESDAY, AUGUST 22, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Ed Emery.

Dear God and Father of the Lord Jesus Christ, thank You for the encouragement of knowing that wherever we are, You are there, and Your eye is upon us. Thank You that You stand ready to direct our work today. Lead us on the right path in all that we do and enable us to serve others as You have served us by sending Your Son.

I pray in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Aull, Baker (25), Brandom, Brown (30), Bruns, Burnett, Casey, Corcoran, Cunningham (145), Daus, Davis, Day, Deeken, Denison, Dusenberg, El-Amin, Ervin, Fallert, Fisher, Grisamore, Guest, Hodges, Hoskins, Hubbard, Hughes, Hunter, Icet, Kelly, Kingery, Komo, Kraus, Kuessner, Lembke, LeVota, Low (39), Lowe (44), McClanahan, McGhee, Meadows, Munzlinger, Muschany, Nance, Nasheed, Nolte, Norr, Onder, Oxford, Parson, Pearce, Portwood, Pratt, Quinn (9), Richard, Ruestman, Salva, Sander, Scavuzzo, Schad, Scharnhorst, Schieffer, Schlottach, Schoeller, Schoemehl, Self, Shively, Silvey, Smith (14), Smith (150), St. Onge, Storch, Thomson, Todd, Vogt, Walton, Wasson, Wells, Weter, Whorton, Wildberger, Wilson (130), Wood, Wright, Wright-Jones, Yaeger, Yates and Zweifel.

ADJOURNMENT

On motion of Speaker Jetton, the House adjourned until 10:00 a.m., Thursday, August 23, 2007.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Second Day, Tuesday, August 21, 2007, Page 8, Line 23, by inserting after the name "Oxford," the name: "Parson,".

COMMITTEE MEETING

FISCAL REVIEW

Thursday, August 23, 2007, Hearing Room 1 upon morning recess.

Public hearing to be held on: HCS HB 1

HOUSE CALENDAR

FOURTH DAY, THURSDAY, AUGUST 23, 2007

HOUSE BILLS FOR PERFECTION

1	HCS HB 1 - Richard	(1 1/2 hours debate on Perfection)
2	HB 2 - St. Onge	

JOURNAL OF THE HOUSE

FIRST EXTRAORDINARY SESSION, 94TH GENERAL ASSEMBLY

FOURTH DAY, THURSDAY, AUGUST 23, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Chris Dunn, Office of the Speaker.

Heavenly Father,

This is a great day in our state and in our country. We thank You for giving us the gift of life that we each have. May we glorify You as the day progresses.

In the beginning of the 35th Psalm, Your Word says, "Contend, O LORD, with those who contend with me; fight against those who fight against me." Today, we join with the Founding Fathers, who opened up the Constitutional Convention of 1774 with the reading of this Psalm. They asked for Your protection and asked that You might fight against those who sought to destroy the freedoms and liberties they were seeking as they formed a new nation.

Thank You for the freedoms and liberties we have today. Help us not take for granted the liberties that You and our Founding Fathers established and defended. Bless those who are protecting us even this moment.

As King David closed the 35th Psalm, he used these words: "My tongue will speak of your righteousness and of your praises all day long." We honor You this morning and seek Your will in this House.

In Your name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journals of the first, second and third days were approved as printed.

PERFECTION OF HOUSE BILLS

HCS HB 1, relating to economic development and incentives, was taken up by Representative Richard.

Representative Richard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1, Page 1, in Line 5 of the Title, by deleting the words "economic incentive and"; and

Further amend said title, Line 6, by deleting all of said line and inserting in lieu thereof the phrase, "fostering business growth through incentives, with an emergency clause."; and

Further amend said bill, Section 99.1205, Page 10, Line 46, by inserting after the word "**law**" the phrase, "**under sections 99.300 to 99.660**"; and

Further amend said page, Line 47, by inserting after the first occurrence of the word "**act**" the phrase, "**under sections 99.800 to 99.865**"; and

Further amend said line, by inserting after the second occurrence of the word "**act**" the phrase, "**under sections 99.915 to 99.1060**"; and

Further amend said page, Line 48, by inserting after the word "**program**" the phrase, "**under sections 99.1080 to 99.1092**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 1** was adopted.

Representative Zweifel offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1, by striking all of the following sections from said bill:

Section 32.105;
Section 67.306;
Section 99.1205;
Section 100.286;
Section 135.460;
Section 135.478;
Section 135.500;
Section 135.545;
Section 135.550;
Section 135.600;
Section 135.630;
Section 135.679;
Section 135.680;
Section 135.750;
Section 135.1150;
Section 144.030;
Section 173.196;
Section 173.796;
Section 178.716;
Section 178.895;
Section 178.896;
Section 348.300;
Section 578.395;
Section 620.495;
Section 620.511;
Section 620.512;
Section 620.513;
Section 620.638;
Section 620.521;
Section 620.523;
Section 620.527;
Section 620.529;
Section 620.530;

Section 620.537; and
Section 620.1039.

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Zweifel moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hubbard	Hughes	Johnson	Komo	Kuessner
LeVota	Liese	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Roorda	Rucker	Scavuzzo	Schoemehl	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 099

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robinson
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Cooper 120	Haywood	Lampe	Low 39
Marsh	Muschany	Robb	Skaggs	Zimmerman

VACANCIES: 003

Representative Nasheed offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1, Section 99.1205, Pages 8 to 13, by striking all of said section from bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nasheed moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hubbard	Hughes	Johnson
Komo	Kuessner	LeVota	Liese	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 086

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hunter	Jones 89	Jones 117	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bowman	Cooper 120	Haywood	Ice	Lampe
Low 39	Marsh	Robb	Skaggs	Thomson
Threlkeld	Zimmerman			

VACANCIES: 003

Representative Oxford offered **House Amendment No. 4**.

Representative Pratt raised a point of order that **House Amendment No. 4** goes beyond the scope of the Governor's call.

The Chair ruled the point of order well taken.

Representative Hughes offered **House Amendment No. 5**.

Representative Cox raised a point of order that **House Amendment No. 5** goes beyond the scope of the Governor's call.

The Chair ruled the point of order well taken.

Representative Nieves assumed the Chair.

Representative Burnett offered **House Amendment No. 6**.

Representative Jones (89) raised a point of order that **House Amendment No. 6** goes beyond the scope of the Governor's call.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Jetton resumed the Chair.

Representative Talbot offered **House Amendment No. 7**.

Representative Onder raised a point of order that **House Amendment No. 7** goes beyond the scope of the Governor's call and the bill.

The Chair ruled the point of order well taken.

Representative Nieves resumed the Chair.

Representative Roorda offered **House Amendment No. 8**.

Representative Cox raised a point of order that **House Amendment No. 8** goes beyond the scope of the Governor's call.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Wildberger offered **House Amendment No. 9**.

Representative Cox raised a point of order that **House Amendment No. 9** goes beyond the scope of the Governor's call.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Fallert offered **House Amendment No. 10**.

Representative Funderburk raised a point of order that **House Amendment No. 10** goes beyond the scope of the Governor's call.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Swinger offered **House Amendment No. 11**.

Representative Funderburk raised a point of order that **House Amendment No. 11** goes beyond the scope of the Governor's call.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Nasheed requested a division of the question on **HCS HB 1, as amended**.

Representative Darrough offered **House Amendment No. 1 to Part I**.

Representative Jones (89) raised a point of order that **House Amendment No. 1 to Part I** goes beyond the scope of the Governor's call.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Richard, **Part I of HCS HB 1, as amended**, was adopted by the following vote:

AYES: 140

Aull	Avery	Baker 123	Bivins	Bland
Bowman	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
George	Grill	Grisamore	Guest	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lembke	LeVota	Lipke	Loehner	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Mr Speaker

NOES: 012

Baker 25	Burnett	Daus	Frame	Harris 23
Harris 110	McClanahan	Oxford	Todd	Vogt
Whorton	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 008

Cooper 120	Haywood	Lampe	Liese	Low 39
Marsh	Skaggs	Zimmerman		

VACANCIES: 003

Speaker Jetton resumed the Chair.

On motion of Representative Richard, **Part II of HCS HB 1, as amended**, was adopted by the following vote:

AYES: 106

Avery	Bivins	Bland	Brandom	Brown 30
Brown 50	Bruns	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Liese	Lipke	Loehner	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Young
Mr Speaker				

NOES: 045

Aull	Baker 123	Bowman	Bringer	Burnett
Casey	Curls	Darrough	Daus	Donnelly
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Komo	Kuessner
LeVota	Lowe 44	McClanahan	Meadows	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Storch	Swinger	Todd	Vogt	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker 25	Cooper 120	Haywood	Lampe	Low 39
Marsh	Skaggs	Walsh	Zimmerman	

VACANCIES: 003

On motion of Representative Richard, **HCS HB 1, as amended**, was ordered perfected and printed.

HB 2, relating to design-build highway projects bond requirements, was taken up by Representative St. Onge.

Representative Muschany assumed the Chair.

Representative Salva offered **House Amendment No. 1**.

Representative Schaaf raised a point of order that **House Amendment No. 1** goes beyond the scope of the Governor's call and the bill.

Representative Muschany requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Salva appealed the ruling of the Parliamentary Committee.

The ruling of the Parliamentary Committee was sustained by the following vote:

AYES: 090

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Young	Mr Speaker

NOES: 058

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hughes	Johnson
Komo	Kuessner	LeVota	Liese	McClanahan
Meadows	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Spreng
Storch	Swinger	Talboy	Todd	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker 123	Cooper 120	Donnelly	Flook	Funderburk
Haywood	Lampe	Low 39	Lowe 44	Marsh
Skaggs	Zimmerman			

VACANCIES: 003

Representative Ervin assumed the Chair.

Representative Hughes offered **House Amendment No. 2**.

Representative Cox raised a point of order that **House Amendment No. 2** goes beyond the scope of the Governor's call.

Representative Ervin requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative St. Onge, **HB 2** was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1 - Fiscal Review (Fiscal Note)

RECESS

On motion of Representative Dempsey, the House recessed until such time as the Committee on Fiscal Review meets and adjourns and the perfected version of **HB 2** is printed and distributed.

The hour of recess having expired, the House was called to order by Representative Dixon.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR

AUGUST 23, 2007

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 1, E.C. - Richard
- 2 HB 2, E.C. - St. Onge

THIRD READING OF HOUSE BILLS

HCS HB 1, relating to economic development and incentives, was taken up by Representative Richard.

On motion of Representative Richard, **HCS HB 1** was read the third time and passed by the following vote:

AYES: 129

Aull	Avery	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Mr Speaker	

NOES: 020

Baker 25	Baker 123	Bowman	Bringer	Burnett
Casey	Daus	Fallert	Frame	Harris 23
Harris 110	Kuessner	McClanahan	Nasheed	Norr
Oxford	Roorda	Todd	Whorton	Zweifel

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PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper 120	Davis	Haywood	Ice	Johnson
Lampe	Low 39	Marsh	Skaggs	Vogt
Zimmerman				

VACANCIES: 003

Representative Dixon declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 099

Aull	Avery	Baker 123	Bivins	Brandom
Brown 30	Bruns	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hunter
Jones 89	Jones 117	Kelly	Kingery	Kraus
Lembke	Liese	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Mr Speaker	

NOES: 050

Baker 25	Bland	Bowman	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hughes	Komo	Kuessner	LeVota	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Talboy	Todd	Walsh	Whorton
Wildberger	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper 120	Davis	Haywood	Ice	Johnson
Lampe	Low 39	Marsh	Skaggs	Vogt
Zimmerman				

VACANCIES: 003

Representative Pratt assumed the Chair.

HB 2, relating to the design-build highway projects bonding requirements, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HB 2** was read the third time and passed by the following vote:

AYES: 135

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 014

Baker 25	Bowman	Bringer	Burnett	Daus
Harris 110	Hughes	Oxford	Salva	Spreng
Talboy	Villa	Whorton	Wright-Jones	

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper 120	Davis	Haywood	Ice	Johnson
Lampe	Low 39	Marsh	Skaggs	Vogt
Zimmerman				

VACANCIES: 003

Representative Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Hobbs	Hoskins	Hubbard	Hunter	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lembke	LeVota	Liese	Lipke
Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 022

Baker 25	Bowman	Bringer	Burnett	Chappelle-Nadal
Daus	George	Harris 110	Hodges	Holsman
Hughes	Lowe 44	McClanahan	Nasheed	Oxford
Salva	Spreng	Talboy	Villa	Whorton
Wildberger	Wright-Jones			

PRESENT: 000

ABSENT WITH LEAVE: 013

Cooper 120	Davis	Day	Haywood	Ice
Johnson	Lampe	Low 39	Marsh	Quinn 7
Skaggs	Vogt	Zimmerman		

VACANCIES: 003

Speaker Jetton resumed the Chair.

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, August 29, 2007.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Al Liese, District 79, hereby state and affirm that my vote as recorded on the motion to adopt Part I, as amended to House Committee Substitute of the House Bill No. 1 as recorded in the House Journal for August 23, 2007 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote at that time, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 23rd day of August 2007.

/s/ Al Liese
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 23rd day of August in the year 2007.

/s/ Carrie Young
Notary Public

JOURNAL OF THE HOUSE

FIRST EXTRAORDINARY SESSION, 94th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, AUGUST 29, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Van Kelly.

Lord, we thank You for this day. Give our leaders wisdom and guide us today. Amen.

The Pledge of Allegiance to the flag was recited.

The following members' presence was noted: Brandom, Brown (30), Brown (50), Chappelle-Nadal, Curls, Daus, Deeken, Denison, Dixon, Dusenberg, El-Amin, Fisher, Grisamore, Guest, Harris (110), Hubbard, Hughes, Hunter, Kingery, Kraus, Kuessner, Lembke, LeVota, Loehner, Lowe (44), Marsh, Muschany, Norr, Portwood, Pratt, Quinn (9), Richard, Ruestman, Salva, Scharnhorst, Schieffer, Schlottach, Schneider, Silvey, Smith (14), St. Onge, Storch, Sutherland, Talboy, Tilley, Todd, Villa, Walsh, Wildberger, Wilson (119), Wilson (130), Wright and Yates.

ADJOURNMENT

On motion of Speaker Jetton, the House adjourned until 10:00 a.m., Thursday, August 30, 2007.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Thursday, August 30, 2007, Hearing Room 3 upon morning recess.
Public hearing to be held on: SCS HCS HB 1

CONFERENCE COMMITTEE NOTICE

Thursday, August 30, 2007, Hearing Room 7 upon morning recess.
Public hearing to be held on: HB 2

JOURNAL OF THE HOUSE

First Extraordinary Session, 94th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, AUGUST 30, 2007

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Brian Baker.

Dear Heavenly Father,

We come before You and praise You for the great and awesome God that You are.

We ask that You guide us and direct us in all wisdom and discernment as we do Your work and serve the people.

Be with those who are facing health issues and those who are far from loved ones. Give them courage and a peace that passes all understanding.

We pray this in Jesus' name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journals of the fourth and fifth days were approved as printed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1**, entitled:

An act to repeal sections 32.105, 99.805, 100.286, 135.460, 135.478, 135.500, 135.545, 135.550, 135.600, 135.630, 135.750, 135.950, 135.963, 135.967, 135.1150, 144.030, 173.196, 173.796, 178.895, 178.896, 348.300, 578.395, 620.495, 620.521, 620.523, 620.527, 620.529, 620.530, 620.537, 620.638, 620.1039, 620.1878, and 620.1881, RSMo, and section 99.820, as truly agreed to and finally passed in senate substitute for house committee substitute for house bill no. 741, ninety-fourth general assembly, first regular session, and to enact in lieu thereof thirty-six new sections relating to fostering business growth through incentives.

With Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 4, as amended, Senate Amendment No. 7, Senate Amendment No. 9, Senate Amendment No. 13, Senate Amendment No. 14 and Senate Amendment No. 19.

Senate Amendment No. 1
to
Senate Amendment No. 4

AMEND Senate Amendment No. 4 to Senate Committee Substitute for House Committee Substitute for House Bill No. 1, Page 1, Line 6, by inserting immediately after the first use of the word "any" the following:

"delinquent"; and

Further amend Line 15, by inserting immediately after the first use of the word "any" the following:

"delinquent".

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1, Page 60, Section 135.967, Line 114, by inserting immediately after "revenue" the following:

", or any other state department,"; and

Further amend said section and page, Line 116, by inserting immediately after "taxes," the following:

"or any fees or assessments levied by any state department"; and

Further amend said section and page, Line 121, by inserting immediately after "insurance", the following:

", or any other state department,"; and

Further amend Page 103, Section 620.1881, Line 289, by inserting immediately after "revenue" the following:

", or any other state department,"; and

Further amend said section and page, Line 291, by inserting immediately after "taxes," the following:

"or any fees or assessments levied by any state department"; and

Further amend said page and section, Line 297, by inserting immediately after "insurance", the following:

", or any other state department,".

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1, Page 110, Section 620.537, Line 22, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary for the creation of family-supporting jobs for the citizens of Missouri and creating incentives for investment in the state, the repeal and reenactment of sections 620.1878 and 620.1881 and the enactment of section 135.680 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 620.1878 and 620.1881 and the enactment of section 135.680 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1, Page 18, Section 99.1205, Line 126, by inserting at the end of said line the following:

"The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290, RSMo."

Senate Amendment No. 13

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1, Page 20, Section 99.1205, Line 121, by inserting at the end of said line, the following:

"Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800 RSMo, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830 RSMo."

Senate Amendment No. 14

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1, Page 15, Section 99.1205, Line 6, by inserting immediately after "fees," the following:

"reasonable"; and

Further amend said line, by inserting immediately after "and" the following:

"reasonable".

Senate Amendment No. 19

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1, Page 1, In the Title, Line 6, by inserting after "RSMo," the following:

"section 99.820 as truly agreed to and finally passed in conference committee substitute no. 2 for house substitute for house committee substitute for senate committee substitute for senate bill no. 11, ninety-second general assembly, first regular session,"; and

Further amend said bill and page, Section A, Line 5, by inserting after "RSMo," the following:

"section 99.820 as truly agreed to and finally passed in conference committee substitute no. 2 for house substitute for house committee substitute for senate committee substitute for senate bill no. 11, ninety-second general assembly, first regular session,"; and

Further amend said bill, Pages 9 to 14, Section 99.820, by striking all of said section and inserting in lieu thereof the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve

persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for any county with a charter form of government and with more than one million inhabitants, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission

shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991."; and

Further amend said bill, Page 104, Section 620.1881, Line 319, by inserting after all of said line the following:

"[99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the

amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for any county with a charter form of government and with more than one million inhabitants, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

3. The commission, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. The commission shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.]"; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2**.

Emergency clause adopted.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1, as amended, relating to economic development and incentives, was taken up by Representative Richard.

Representative Pearce assumed the Chair.

Representative Richard moved that **SCS HCS HB 1, as amended**, be adopted.

Representative Wildberger made a substitute motion that the House refuse to adopt **SCS HCS HB 1, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the conferees be allowed to exceed the differences for the purpose of ensuring that employers that hire illegal immigrants are not allowed to receive tax credits.

Which motion was defeated by the following vote:

AYES: 058

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Curls	Darrough	Donnelly
Dusenberg	El-Amin	Faith	Fallert	Frame
George	Grill	Grisamore	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kraus	Kuessner	LeVota	Liese
McClanahan	Meadows	Nance	Nolte	Norr
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Scharnhorst	Schieffer	Shively	Storch
Swinger	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Zweifel		

NOES: 086

Baker 123	Bivins	Brandom	Brown 30	Bruns
Chappelle-Nadal	Cooper 120	Cox	Cunningham 145	Cunningham 86
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Ervin	Fares	Fisher
Flook	Franz	Funderburk	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Lembke	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nasheed	Nieves	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge

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Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bowman	Cooper 155	Corcoran	Davis
Dougherty	Emery	Haywood	Johnson	Lampe
Meiners	Page	Schoemehl	Skaggs	Young
Zimmerman				

VACANCIES: 003

Speaker Jetton resumed the Chair.

Representative Richard again moved that **SCS HCS HB 1, as amended**, be adopted.

Which motion was adopted by the following vote:

AYES: 124

Aull	Bivins	Bland	Brandom	Brown 30
Brown 50	Bruns	Chappelle-Nadal	Cooper 120	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Walton	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Mr Speaker	

NOES: 020

Baker 25	Baker 123	Bringer	Burnett	Casey
Daus	Frame	Harris 23	Harris 110	Kuessner
Low 39	Lowe 44	McClanahan	Nasheed	Oxford
Roorda	Todd	Vogt	Whorton	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bowman	Cooper 155	Corcoran	Davis
Dougherty	Emery	Haywood	Johnson	Lampe
Meiners	Schoemehl	Skaggs	Wasson	Young
Zimmerman				

VACANCIES: 003

On motion of Representative Richard, **SCS HCS HB 1, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 125

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Chappelle-Nadal	Cooper 120
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Mr Speaker

NOES: 019

Baker 123	Bringer	Burnett	Casey	Daus
Frame	Harris 23	Harris 110	Kuessner	Low 39
Lowe 44	McClanahan	Nasheed	Oxford	Roorda
Todd	Vogt	Whorton	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bowman	Cooper 155	Corcoran	Davis
Dougherty	Emery	Haywood	Johnson	Lampe
Meiners	Schoemehl	Skaggs	Stevenson	Young
Zimmerman				

VACANCIES: 003

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Chappelle-Nadal
Cooper 120	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Hobbs	Holsman
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Lembke	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 018

Bringer	Burnett	Casey	Frame	Harris 110
Hodges	Hughes	Kuessner	LeVota	Low 39
McClanahan	Quinn 9	Shively	Talboy	Todd
Villa	Vogt	Wildberger		

PRESENT: 003

George	Nasheed	Oxford
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ABSENT WITH LEAVE: 015

Avery	Bowman	Cooper 155	Corcoran	Davis
Dougherty	Emery	Haywood	Johnson	Lampe
Meiners	Schoemehl	Skaggs	Young	Zimmerman

VACANCIES: 003

RECESS

Representative Dempsey moved that the House stand in recess until **SCS HCS HB 1, as amended**, and **HB 2** have been signed by the Speaker and then stand adjourned sine die.

The hour of recess having expired, the House was called to order by Speaker Jetton.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **SCS HCS HB 1, as amended**, and **HB 2** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HCS HB 1, as amended**, and **HB 2** were delivered to the Governor by the Chief Clerk of the House.

ADJOURNMENT

On motion of Speaker Jetton, the House of Representatives of the Ninety-fourth General Assembly, convened in the First Extraordinary Session on August 20, 2007, adjourned sine die, as of August 30, 2007.

ROD JETTON
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

JOURNAL OF THE HOUSE

VETO SESSION

First Regular Session, 94th GENERAL ASSEMBLY

FIRST DAY, WEDNESDAY, SEPTEMBER 12, 2007

Speaker Jetton in the Chair.

Prayer by Representative Jeff Grisamore.

Heavenly Father, we come before Your Throne of Grace on this final day of the First Regular Session of the 94th General Assembly of the Great State of Missouri. We thank You for all that has been accomplished this session for the people of Missouri.

Father, we thank You for the incredible and awesome privilege You have given us to represent and serve our constituents and the people of Missouri. We pray for Your continued strength and wisdom to serve them well. We ask You for Your continued blessing and favor upon our State and all of its people—that You, O God, would shed Your grace upon Missouri.

We thank You that Your Word says that You are the God of all comfort and a Father of the fatherless and defender of widows. As yesterday was the 6th anniversary of the terrorists' attacks of September 11, 2001, we ask You for Your continued comfort to the families who lost loved ones on that tragic day, and we thank You that You are a Father to the fatherless and a defender of widows who lost loved ones that day.

We continue to pray for our brave men and women in uniform who are engaging in the global war on terror. We pray that You would protect them and provide for their families in their absence.

As we close our First Regular Session of this 94th General Assembly today and look forward the Second Session next year, we remember Your Word in Psalm 133 that says how good and pleasant it is when brethren dwell together in unity and that in that place You command a blessing.

We thank You for the many things that we have been able to accomplish in a bi-partisan way and ask You for a spirit of unity as we move forward next year.

We ask for Your continued wisdom, counsel and strength to serve our constituents and the people of Missouri; and we thank You for Your grace and mercy that we receive from You daily. In Jesus' Name, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelsey Moore, Megan Kelly, Joseph Dockins, Jennifer Elizabeth Scott and Diane Smith.

HOUSE RESOLUTION

Representative Tilley offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-fourth General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2007 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Tilley, **House Resolution No. 1** was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Burnett	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 123	Bowman	Chappelle-Nadal	Dougherty	Haywood
Johnson	Lipke	Marsh	Vogt	Young

VACANCIES: 003

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

MESSAGES FROM THE GOVERNOR

June 27, 2007

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

Section 9.210

I hereby veto the words "Personal Service." As acknowledged by the General Assembly, the inclusion of this text was a typographical error. Without correction, the result of the insertion would be to prevent the Department of Corrections from providing substance abuse treatment for incarcerated offenders. Such a result would contravene the stated intent of the section.

On June 27, 2007 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 27, 2007

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary

and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2007 and ending June 30, 2008.

Section 12.400

I hereby veto \$155,760 general revenue for parking expenses. Under RSMo § 600.040.1, these expenses are the responsibility of the participating counties.

Personal Service and/or Expense and Equipment by \$155,760 from \$29,444,864 to \$29,289,104 from the General Revenue Fund.

From \$32,836,366 to \$32,680,606 from the General Revenue Fund.

From \$36,287,857 to \$36,132,097 in total for the section.

On June 27, 2007 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

July 6, 2007

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327** entitled:

"AN ACT"

To repeal sections 21.750, 32.105, 32.115, 99.805, 99.820, 99.825, 100.286, 135.400, 135.403, 135.460, 135.478, 135.500, 135.535, 135.545, 135.550, 135.600, 135.630, 135.750, 135.950, 135.963, 135.967, 135.1150, 137.106, 142.815, 144.030, 144.605, 147.010, 173.196, 173.796, 178.895, 178.896, 208.750, 208.755, 238.202, 238.207, 238.208, 238.225, 238.230, 238.275, 348.300, 578.395, 620.495, 620.521, 620.523, 620.527, 620.528, 620.529, 620.530, 620.537, 620.638, 620.1039, 620.1878, and 620.1881, RSMo, and to enact in lieu thereof eighty-two new sections relating to certain programs administered by the department of economic development.

I disapprove of **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327**. My reasons for disapproval are as follows:

- I. The bill would create a new incentive program that is poorly structured because it is not aimed at attracting businesses to create jobs with health insurance and above-average pay.

House Bill 327 creates a Quality Jobs type program for small businesses. However, businesses that pay only 85 percent of the average county wage and do not offer health insurance coverage would be able to qualify for incentives under the program. I remain insistent that any incentives of this type pay employees at or above the

average county wage, or the average state wage in some instances, and provide health insurance to its employees consistent with the Quality Jobs Program.

- II. The bill could force Missouri businesses to operate at a competitive disadvantage due to changes in state tax laws.

The language changing current law regarding the presence of businesses in the state and their tax liability is bad public policy. The resulting effect could put businesses already operating in Missouri at a competitive disadvantage. The bill would also create an opportunity for businesses to realign their corporate structure to avoid tax liability. Finally, even though the short-term fiscal impact would be minimal, the long-term negative impact on state revenues could be substantial.

- III. The bill would put the Quality Jobs Program at risk to a legal challenge.

Language in the bill could undermine the basic objectives of the highly successful Quality Jobs Program. The bill adds a provision to the Quality Jobs Act allowing a 50 percent tax credit for companies that provide tuition reimbursement to eligible employees. The credit is capped at \$5,000 per employee with a total annual cap of \$250,000. When this provision was added, the definition of employee was changed to a full-time worker who has an annual salary equal to or less than the average county wage. This definition was supposed to apply only to the eligibility for the tuition reimbursement tax credit, but, due to what I assume was an inadvertent drafting error, was made to a definition that applies to the entire Quality Jobs Program. This creates a potential legal issue regarding companies that pay above average county wages and their ability to qualify for benefits and companies that pay less than average county wages and their potential for claiming benefits. This could lead to valuable tax credit cap allocation being consumed by jobs that are less desirable than the high quality jobs the program was intended to encourage.

- IV. The bill would create a regional railroad authority giving eminent domain and taxing authority to unelected officials.

House Bill 327 authorizes local government entities to create a new type of political subdivision called a regional railroad authority. Regional railroad authorities created under this legislation will be directed by unelected officials and granted some degree of eminent domain and taxing powers. This comes at a time when we have been working successfully to end the abuse of eminent domain authority to protect private landowners.

- V. The bill could divert money intended to support regional airports across Missouri to fund a tax exemption on fuel purchases for flights that merely connect to transoceanic flights departing from an out-of-state city.

House Bill 327 creates a fuel-tax exemption for transoceanic flights originating in Missouri. Currently, there are no such flights. However, there is concern that airlines could claim the exemptions for flights that merely connect to transoceanic flights in non-Missouri cities. Those claims could lead to a loss of \$400,000 in state revenue that is intended to support regional airports across Missouri.

- VI. The bill includes language which conflicts with provisions in Senate Bill 30, which was signed into law on June 13, 2007.

The bill contains two provisions that conflict with language in Senate Bill 30. First, subsection two of Section 144.054 creates a sales tax exemption for energy sources used in manufacturing, and in research and development. With regard to this exemption, Senate Bill 30 references the term “other energy sources” while House Bill 327 references the term “other utilities.” Because the terminology is different, it is estimated to cost an additional \$27 million in general revenue to implement the provisions in both bills. Secondly, the exemptions for energy sources created by both bills do not align. SB 30 does not apply the exemption to local sales taxes while HB 327 does exempt local sales taxes. Local government officials have raised concerns about the conflict.

For the above stated reasons, I am returning **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 327** without my approval.

Respectfully submitted,

/s/ Matt Blunt
Governor

HOUSE BILLS VETOED FROM THE FIRST REGULAR SESSION

Speaker Jetton read the following House Bills vetoed from the First Regular Session: **CCS SCS HCS HB 9, CCS SCS HCS HB 12 and SS SCS HCS HB 327**.

HOUSE RESOLUTION

Representative Tilley offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS SCS HCS HB 9, CCS SCS HCS HB 12 and SS SCS HCS HB 327** when the bills were called by the Speaker.

On motion of Representative Tilley, **House Resolution No. 2** was adopted.

NOMINATIONS FOR SPEAKER PRO TEM

Representative Kingery nominated Representative Pratt for Speaker Pro Tem of the House.

Representative Schoeller seconded the nomination.

Representative Swinger nominated Representative Kuessner for Speaker Pro Tem of the House.

Representative Zweifel seconded the nomination.

Representative Kuessner withdrew his nomination.

Representative Tilley moved that nominations for Speaker Pro Tem of the House cease and Representative Pratt be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Pratt to the dais: Smith (14), Schneider, Avery, Smith (150), Jones (89), Wallace, Burnett, Dougherty, Hubbard and Hughes.

Representative Pratt subscribed to the oath of office, which was administered by the Honorable Harold (Hal) Lowenstein, Judge, Western District of Missouri Court of Appeals.

Speaker Pro Tem Pratt assumed the Chair.

ADDRESS BY SPEAKER PRO TEM PRATT

In 2002, I was first elected to the Missouri House on my one month wedding anniversary - since that time, Sherry and I have two beautiful children and are nearing our fifth wedding anniversary. It has been an amazing five years in my personal life, and an amazing five years for the State of Missouri.

Five years ago, we faced tremendous budget shortfalls. Education dollars were withheld from our schools. Missouri was losing jobs. The debate in Jefferson City was focused on tax increases. Partisanship was at an all time high. In a nutshell - our great state was not doing well.

In the last five years, life has improved for Missourians. Several economic development bills have passed to increase the number of jobs in our state - more Missourians are working! School funding has dramatically increased in the last five years - Missouri children are getting a better education! More scholarships and improved funding for higher education - more Missouri children are going to college! We passed Jessica's Law and several bills to stop methamphetamine - Missourians are safer! We passed Social Security tax relief, retirement tax relief, and property tax relief - We are letting Missourians keep more of the money they earn! We passed the conceal and carry bill and the castle doctrine - We respect Missourians' gun rights! We have decreased the number of abortions in the State of Missouri - We have respected life!

Finally, the climate has improved in the Missouri House of Representatives. Republicans and Democrats have equal debate time on important bills - both sides have the opportunity to be heard. We have considered many Republican and Democrat bills in the Missouri House in the past five years. We have improved our great state by working in a bipartisan fashion to improve the lives of our constituents.

As Speaker Pro Tem, I pledge to work with all members to continue the great work of the Missouri House of Representatives. I am very excited about the future of our great state, and I look forward to seeing the results of our hard work on my 6th, 7th, and 8th wedding anniversary.

May God Bless you, and may God Bless the great state of Missouri.

Speaker Jetton resumed the Chair.

The following member's presence was noted: Vogt.

ADJOURNMENT

On motion of Representative Tilley, the Veto Session of the Ninety-fourth General Assembly, First Regular Session, adjourned sine die pursuant to the Constitution.

ROD JETTON
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House